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THE COMMITTEE OF FOURTEEN IN NEW YORK CITY

ANNUAL REPORT 1916-1917

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Incorporated, 1907
Re-organized, 1912

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1916–1917

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Mrs. William H. Baldwin
Dr. Lee W. Beattie
Hon. William S. Bennet
Dr. William Adams Brown
Prof. Francis M. Burdick
Mr. Edmond J. Butler
Mr. William Hamlin Childs
Rev. William A. Courtney, D.D.
Mrs. Robert L. Dickinson
Dr. Bernard Drachman
Mrs. John M. Glenn
Mrs. Barclay Hazard
Mr. Josiah O. Low
Mr. Edward J. McGuire
Mr. Alfred E. Marling
Dr. H. Pereira Mendes
Miss Maude E. Miner
Dr. Henry Moskowitz
Mrs. Henry Moskowitz
James Pedersen, M.D.
Dr. John P. Peters
Mrs. Frederic B. Pratt
Mr. George Haven Putnam
Mr. James B. Reynolds
Mr. Isaac N. Seligman [1]
Mrs. V. G. Simkhovitch
Mr. Francis Louis Slade
Mr. Percy S. Straus
Eugene L. Swan, M.D.
Mr. Lawrence Veiller
Mr. Frederick H. Whitin

elected october 23, 1917

Miss Caroline Linherr
Mrs. Mortimer M. Menken

[1] Deceased.

1916–1917

OFFICERS OF THE COMMITTEE

Honorary Chairman . . . . . Dr. John P. Peters
Chairman . . . . . Dr. William Adams Brown
Vice-Chairman . . . . . Mr. Edward J. McGuire
Treasurer . . . . . Mr. Francis Louis Slade
Secretary . . . . . Mr. Frederick H. Whitin
Executive Secretary . . . . . Mr. Walter G. Hooke

Directors

Dr. William Adams Brown, *Chairman*
Mr. George W. Alger
Dr. Lee W. Beattie
Hon. William S. Bennet
Mr. Edmond J. Butler
Mrs. Robert L. Dickinson
Mrs. John M. Glenn
Mr. Josiah O. Low
Mr. Edward J. McGuire
James Pedersen, M.D.
Dr. John P. Peters
Mrs. V. G. Simkhovitch
Mr. Francis Louis Slade
Mr. Percy S. Straus

Law Committee

Mr. Edward J. McGuire, *Chairman*
Mr. George W. Alger
Hon. William S. Bennet
Prof. Francis M. Burdick
Mr. Lawrence Veiller

Finance Committee

Mr. Isaac N. Seligman, *Chairman*
Mr. Percy S. Straus
Mr. Josiah O. Low
Mr. George Haven Putnam
Mr. Francis Louis Slade (*ex officio*)

Brooklyn Committee

Mr. Josiah O. Low, *Chairman*
Mr. William Hamlin Childs
Mrs. Robert L. Dickinson
Mrs. Frederic B. Pratt
Eugene L. Swan, M.D.

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I

REPORT OF THE CHAIRMAN

While the details of the Committee's work during the year will be reported by the Secretaries, the Chairman would add a foreword regarding its efforts to suppress vice and immorality in and around the Training Camps. This work was undertaken in New York and New Jersey at the special request of Raymond B. Fosdick, Chairman of the War and Navy Departments' Commissions on Training Camp Conditions.

Your Chairman has met many of the Camp Commandants and has been much encouraged by the attitude of the officers who were found to be most anxious to cooperate with the Fosdick Commission and those associated with it. The prohibition of sales of liquor and the suppression of prostitution in and around the camps have aroused public opinion. The war has thus given an opportunity for a suppression of vice in many communities where it has been heretofore tolerated. This presents a definite advance which will not be lost with the return of peace. As yet there has been little difficulty in dealing with the commercializers of vice and of their victims in the vicinity of the newly established camps. The problem has been rather of immorality between the soldiers and young girls not yet in the ranks of the prostitute. The lure of the uniform and the romance of the soldier have proved too much for a great many young girls. This has created a pressing need for protective officers and work with girls. Many cities have appointed policewomen for this purpose.

Soldiers and Sailors in New York City

While the cantonments at Yaphank (Camp Upton) and Wrightstown (Camp Dix) are the special centers of the

Committee's work for the coming months, New York City, with the Navy Yard and Forts in its midst, is an ever-present problem. While the New York City brewers have given their hearty support to the governmental policy against the sales of liquor to the military and naval forces, the nine thousand saloon-keepers of the city, burdened by increased taxes, have not always resisted the temptation to increase their sales by violations of the Selective Service Act. While open vice and drunkenness have not been tolerated in New York City for some years, eternal vigilance is necessary for their continued suppression in America's greatest commercial and amusement center. The New York Police must be assisted and sustained as never before.

The law against the owners of tenements used for immoral purposes has apparently not been vigorously enforced during the year, though the year has seen a step forward taken. The same may be said of the use of the Injunction and Abatement Law, though the first action has been successfully completed in Kings County. Suggestions have been made of possible methods to suppress those hotels which exist for immoral purposes and which now escape the penalties of existing law because of the technicalities of evidence. Methods should also be pressed to protect those who must perforce live economically, lodging in the city's multitudinous furnished room houses. This is an effort which those who have driven vice from open resorts are in duty bound to make. Vice hidden is unprofitable commercially and hence is lessened in quantity, but persistent repression is as necessary today as in 1911, when it was declared by the Chicago Vice Commission to be the best means to the ultimate suppression of prostitution.

Work for Coming Year

The need for the continuance of the Committee's work has been intensified by the war. It must continue its co-

operation with the local authorities in the suppression of vice. It has a special duty and opportunity to assist the authorities in the communities in New York State and New Jersey who find themselves confronted with new and difficult problems of much acuteness, as a result of the influx of large bodies of soldiers into their midst. To them, the Committee with its long experience in fighting vice can be of especial assistance.

During the year the Committee suffered a severe loss in the death of Mr. Isaac N. Seligman, who has been a valued member since the Committee's organization in 1905. It is hoped that its indebtedness to him will be expressed in an appropriate resolution.

The Committee also suffered the loss of the assistance of the Reverend Robert Bachman, jr., a member of the Board of Directors. Although he has left the city, he continues as a member of the General Committee. The Committee was fortunate in securing the acceptance of Mr. Percy S. Straus as a Director in Mr. Bachman's place.

The Committee is especially indebted to its Treasurer, Mr. Slade, and the other members of the Finance Committee for their efforts in raising the necessary funds for the increased budget adopted for the year. Indeed, the amount so raised was in excess of the required minimum, so enabling the Committee to undertake special war work not anticipated a year ago, without limiting the work originally planned.

The executive and office staff remained unchanged throughout the year; the increased office work incident to war work has been done by the staff as their "war bit."

With the first of October Mr. Hooke, the Committee's Executive Secretary, was granted a three months' leave of absence, that he might assist in organizing the work undertaken by the National Catholic War Council. This work is closely allied to the Committee's war work, and Mr.

Hooke hopes that he will be able to so arrange his time that he will be able during the months of his leave to continue to handle the more essential of the Committee's cases which were under his direction.

WILLIAM ADAMS BROWN,
Chairman

October 23, 1917

II

ANNUAL MEETING

October 23, 1917

The reports of the Chairman, Treasurer, and Secretaries were received and directed to be published. The Secretaries submitted a memorandum of work for 1917–1918.

A Minute on the death of Mr. Isaac N. Seligman was unanimously adopted. The Budget recommendation of the Finance Committee likewise received favorable action. The officers elected for 1917–1918 were as follows:

Chairman, Dr. William Adams Brown
Vice Chairman, Mr. Edward J. McGuire
Treasurer, Mr. Francis Louis Slade
Secretary, Mr. Frederick H. Whitin

The fourteen Directors elected for the ensuing year were:

Dr. William Adams Brown, *Chairman*
Mr. George W. Alger
Dr. Lee W. Beattie
Hon. William S. Bennet
Mr. Edmond J. Butler
Mrs. Robert L. Dickinson
Mrs. John M. Glenn
Mr. Josiah O. Low
Mr. Edward J. McGuire
James Pedersen, M.D.
Dr. John P. Peters
Mrs. V. G. Simkhovitch
Mr. Francis Louis Slade
Mr. Percy S. Straus

Mrs. Mortimer M. Menken, President of the Sisterhood of the Spanish and Portuguese Synagogue, and Miss Caroline Linherr, of the Catholic Big Sisters, were elected members of the General Committee.

The Chairman announced the reappointment of the special committees on Law and Legislation, Finance, and Brooklyn.

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The Committee of Fourteen at its Annual Meeting on October 23rd unanimously adopted the following Minute on the occasion of the recent death of Isaac Newton Seligman:

Isaac Newton Seligman from the organization of the Committee of Fourteen generously gave to it of his experience, time, and means. For many years he was active as a member of its Board of Directors. At the time of his death he was Chairman of the Finance Committee. His services were most valuable, both in efficiency and in guidance. Although he retired from the Board some time before his death because of the need of limiting the numerous calls upon his time, he continued his interest in the work and progress of the association and his generous financial support. He was ready at all times to serve the cause with advice and counsel.

We record our sense of loss by his untimely death and express our sympathy with his family.

WORK PROPOSED FOR 1918

The cooperation with the Fosdick Commissions and the resulting extension of the Committee's field preclude any suggestion for a further development of the Committee's work in the City. The work done in New York State may, however, prove to be preliminary to the organization of a State Committee and a permanent extension of the field.

If it is deemed advisable to attempt to secure any legislation this year, the Secretaries would recommend an amendment to the Code of Criminal Procedure, relating to the trial of defendants charged with keeping disorderly houses. The necessity of securing an indictment and of trying them before a petit jury, which still exists outside of New York City, is a serious handicap to the suppression of vice resorts.

It will probably be possible during the coming season of the Legislature to harmonize the provisions of the Inferior Criminal Courts Act and of the Tenement House Law, with reference to probation in the cases of women convicted of prostitution in tenement houses. The two laws now differ, probation being possible under the Tenement House Law, and impossible under the Inferior Courts Act, and as the latter is a particular city law, it has been ruled to be controlling. This amendment is much desired by the Magistrates assigned to the Women's Court and by Miss Smith, the probation officer at that Court.

The Secretaries are very desirous of securing a law or ordinance for the regulation of hotels. Such a law was drafted last year in cooperation with the Police Department and it was submitted to the Hotel Men's Association, but the Committee was requested not to push the measure, inasmuch as there was already pending considerable legislation affecting hotels. A regulatory law is probably the only means by

which assignation hotels, of which there are some twenty-five in New York City, can be suppressed. Repeated efforts have been made to secure the necessary legal evidence to prove these hotels to be disorderly houses, but without encouraging success. The proposed legislation would vest in the judges of the Supreme Court authority to require a proprietor to conduct his hotel for men only, such an order to be made upon proof that the hotel was frequented by couples for immoral purposes, the manner of proof being carefully prescribed. By this means objectionable places could be suppressed without imposing unnecessary regulations upon legitimate commercial hotels.

III

SPECIAL REPORTS

By the Secretaries

CAMP CONDITIONS

Shortly after the declaration of war, Secretary of War Baker appointed a Commission on Training Camp Conditions. He asked Mr. Raymond B. Fosdick, of the Bureau of Social Hygiene, to accept the Chairmanship of the Commission. Mr. Fosdick was particularly qualified for this work because of investigations of camp conditions on the Mexican Border which he had made the preceding year for Secretary Baker. Shortly after the organization of the Commission, The Committee of Fourteen was asked by it to undertake an investigation of conditions involving liquor and prostitution in the training camps in New York and New Jersey. The Committee promptly agreed to render this service.

Vice and 'Charity' Girl

Investigations were immediately begun, the work extending later to include the cantonments and other places where soldiers were stationed. These investigations disclosed two main facts. First, no noticeable influx of commercialized vice in the vicinity of the camps. In several instances commercialized vice was found in the vicinity of the camps, but these conditions had existed prior to the declaration of war. Second, the existence of a large amount of immorality. This is popularly known as the 'charity girl' problem, 'charity' being the name given by the prostitute to the girl who yields herself to a man without monetary return. Such conditions of immorality have not in the past been uncommon, and

have had more or less attention from the various vice repression organizations, but with the establishment of the camps this evil apparently increased. Stories of a large number of expected war-babies came into circulation, indicating a most serious condition. Investigation, however, proved these stories to be without reasonable foundation, being based upon what people imagined, rather than what actually existed.

As rapidly as the Committee's investigations were completed they were brought to the attention of the Commission. In some instances Mr. Fosdick called the attention of the State authorities to their duties to suppress the vice and immorality found; in other cases the reports were taken up by the Secretaries with the local authorities. Secretary Baker publicly declared that if any community in which a camp was located failed to remove the disorderly resorts in its midst, the camp would be moved, regardless of the expense which the Government had incurred in its establishment.

These methods proved effective. At first those engaged in commercialized vice believed their suppression would be but temporary, but they were soon disillusioned. In the case of Plattsburg, before the desired result could be secured, the Common Council removed the police chief, appointing a man of experience and one whose reputation was a guarantee of satisfactory conditions.

At Syracuse, disorderly conditions in the saloons were brought to the attention of the local brewers, resulting in the removal of four liquor tax certificates. This action was a sufficient warning to the proprietors of other doubtful places, and conditions were generally improved.

Special Law

With the adoption of the Selective Service Act, with its prohibition of the sale of liquor to soldiers and for the suppression of prostitution in the vicinity of camps, prohibited

areas were established around the different camps. Within these it became the duty of the military and Federal authorities to enforce this law and close the saloons within this area. The advantages of the restricted area, however, were more or less nullified because by trolleys and jitney busses the soldiers were able in a short time, and with little expense to themselves, to get outside of it.

The problem of the girl, to which reference has been made, was handled through the appointment of policewomen, or protective officers. The women's organizations in the communities in which the camps were located took an active part in securing the appointment of such officers and in giving them support. Regular police are not particularly effective for this kind of work, it being difficult for them to act where no law is violated. In Syracuse, a particularly competent woman was found as the representative of the Travelers' Aid Society. Her field of work was extended and she was given assistance. Early in the summer, this same city passed a curfew law. The Committee of Fourteen assisted in a number of instances in securing the appointment of protective officers.

Liquor to Men in Uniform

The problem of preventing sales of liquor to soldiers is a serious one, the men not only desiring to obtain liquor, but apparently finding a certain amount of excitement in the endeavor to secure it. In an Onondaga County town in which the saloons were openly selling liquor to men in uniform, the facts were presented to the brewers controlling these places who removed the Liquor Tax Certificates. The places themselves, however, did not close, continuing to sell a diluted beer, popularly known as nearbeer. In the case of Plattsburg, the local authorities had, during the preceding winter, secured an amendment to the Liquor

Tax Law of the State which closed the saloons in the immediate vicinity of the post.

Conditions of open vice were found in Buffalo. Fortunately and unfortunately, few soldiers were stationed in the immediate vicinity. Fortunately, because these sources of infection did not seriously menace the military forces, and unfortunately, because had there been soldiers in the vicinity steps would have been taken for their suppression. The request for an investigation of local vice conditions came from a group of citizens of Utica who felt that even though there were no troops stationed in the immediate vicinity, troops were passing through the city and it was the community's duty to close the open resorts. As a result of the investigations, a law enforcement committee has been organized and an improvement of conditions will be presently secured.

From several smaller places reports were received of vice conditions which called for action. The most serious of these were found to exist in a town where such conditions would do much harm. The endeavor of the Committee to suppress these vice conditions did not meet with a satisfactory response from the local authorities. Fortunately action was taken by other means, so only small harm resulted.

Conditions, New York City and Vicinity

With the establishment of the mobilization camps in New York City and on Long Island and of the cantonments on Long Island and in New Jersey, the field of the Committee's work was greatly increased. It is to be regretted that the Police Department of New York City was inadequately prepared to cope with the protective problem which was presented by the establishment of the mobilization camps within its limits. At the time there were but two women policemen, or protective officers, available, and they but recently appointed as an experiment. With the many

points of contact in the city between the soldiers and young girls, it was impossible for them adequately to cover the field.

In its endeavor to secure the maintenance of satisfactory conditions around the mobilization camp at Mineola, the Committee had the hearty assistance of the commander of the Military Police, a dozen arrests being made for sales of liquor to soldiers. As a result of these and other cases, liquor could not be purchased in the vicinity of the camp by uniformed men. Unfortunately, however, this camp was so close to New York City that the soldiers could secure liquor without difficulty from among the many saloons in the city.

The cantonments at Yaphank and Wrightstown are not in the immediate vicinity of a large city. This has advantages and disadvantages. The advantage is that there is little opportunity for commercialized vice to locate in such communities without being known; the disadvantage, that the local police forces are unfamiliar with the new and serious problem. An investigation at Patchogue, Long Island, disclosed an ex-convict soliciting for a prostitute, from whom he took the money she earned. On the evidence secured, and the girl's story, this individual was held for the Grand Jury and later for trial, in both cases without bail. His victim, a girl of nineteen, was placed in the care of the New York Probation and Protective Association to await the trial. The case came to trial in December and resulted in an apparent miscarriage of justice—the acquittal by the jury of the defendant. All the small towns surrounding both cantonments were investigated by the Committee and no evidence of commercialized vice found. Both cantonments, however, are within easy railroad journey of New York and Philadelphia and as the men have settled down to military life, more and more of them are coming to those cities during their occasional leaves of absence at week-ends. The weekly

influx of men in uniform into these two metropolitan cities, men seeking relaxation and excitement after the restraints and strenuous life of the camps, presents a most serious problem. Fortunately, the situation is realized and every effort is being made to supply the soldiers with opportunities for legitimate recreation.

New Jersey Conditions

Disorderly houses have long been tolerated in Paterson. Soldiers and sailors were found there, coming from New York, attracted by the segregated district. As the result of investigations in which the Committee assisted, the houses have been closed. Investigations disclosed that the disorderly houses in the district in Atlantic City were refusing to admit men in uniform. However, as this city is one frequented by more visitors in the course of a year than any other city in the country, the opportunity presented by the increased interest in law enforcement due to the war has been utilized and steps have already been taken for legal proceedings to close this district.

EXTRACT FROM

The Selective Service Act

Approved by the President

May 18, 1917

Section 12. That the President of the United States, as the Commander-in-Chief of the Army, is authorized to make such regulations governing the prohibition of alcoholic liquors in or near military camps and to the officers and enlisted men of the Army as he may from time to time deem necessary or advisable: *Provided*, That no person, corporation, partnership, or association shall sell, supply, or have in his or its possession any intoxicating or spirituous liquors at any military station, cantonment, camp, fort, post, officers' or enlisted men's club, which is being used at the time for military purposes under this Act, but the Secretary of War may make regulations permitting the sale and use of intoxicating liquors for medicinal purposes. It shall be unlawful to sell any intoxicating liquor, including beer, ale, or wine, to any officer or member of the military forces while in uniform, except as herein provided. Any person, corporation, partnership, or association violating the provisions of this section or the regulations made thereunder shall, unless otherwise punishable under the Articles of War, be deemed guilty of a misdemeanor and be punished by a fine of not more than $1,000 or imprisonment for not more than twelve months, or both.

Section 13. That the Secretary of War is hereby authorized, empowered, and directed during the present war to do everything by him deemed necessary to suppress and prevent the keeping or setting up of houses of ill fame, brothels, or bawdy houses within such distance as he may deem needful of any military camp, station, fort, post, cantonment, training, or mobilization place, and any person, corporation, partnership, or association receiving or permitting to be received for immoral purposes any person into any place, structure, or building used for the purpose of lewdness, assignation, or prostitution within such distance of said places as may be designated, or shall permit any such person to remain for immoral purposes in any such place, structure, or building as aforesaid, or who shall violate any order, rule, or regulation issued to carry out the object and purpose of this section

shall, unless otherwise punishable under the Articles of War, be deemed guilty of a misdemeanor and be punished by a fine of not more than $1,000, or imprisonment for not more than twelve months, or both.

An Act to Promote the Efficiency of the United States Navy

Approved October 6, 1917

In construing the provisions of sections twelve and thirteen of the Selective Draft Act approved May eighteenth, nineteen hundred and seventeen, the word 'Army' shall extend to and include 'Navy'; the word 'military' shall include 'naval'; 'Article of War' shall include 'Articles for the Government of the Navy'; the words 'camps, station, cantonment, camp, fort, post, officers' or enlisted men's club', in section twelve, and 'camp, station, fort, post, cantonment, training, or mobilization place', in section thirteen, shall include such places under naval jurisdiction as the President may prescribe, and the powers therein conferred upon the Secretary of War with regard to the military service are hereby conferred upon the Secretary of the Navy with regard to the naval service.

ARGUMENT AGAINST SEGREGATION

The recognition by the national authorities of the dangers to physical efficiency of sexual immorality and the endeavors of the War and Navy Departments' Commissions have created a great increase of general interest in the problems of vice and its toleration or suppression.

The Commissions have found the popular belief that segregation is the best method of reducing the evils is a serious handicap to the accomplishment of their endeavors to suppress commercialized vice, this belief being held not only by men in the street but by judges, prosecuting officers, and police officials.

The Commissions have recently published a statement of the arguments for and against the segregation policy. This is so valuable that the Committee reprints it.

THE TWO SIDES

It is claimed that	*The truth is that*
SEGREGATION	SEGREGATION
1. Concentrates prostitution, thus facilitating control and reduction.	1. Increases prostitution, continually advertising vice by making it familiar. Affords a place of commerce, otherwise uncertain and precarious, to the least competent of prostitutes, mentally and physically.
2. Decreases prostitution by regulation.	2. Increases prostitution by increasing the demand, which increases the supply.
3. Decreases venereal diseases through medical inspection.	3. Increases venereal diseases by deceiving the ignorant into a fancied reliance upon a frequently 'faked' and inevitably futile medical inspection.
4. Enables control of the liquor traffic in connection with prostitution.	4. Stimulates an illegal liquor traffic, since commercialized vice fails without liquor.
5. Prevents crimes against women.	5. Tends to increase crimes against women by fostering promiscuity and providing a source of sexual brutalization and degeneracy.
6. Protects the community from offensive and detrimental proximity of prostitution.	6. Exposes the community by advertising vice as a community necessity, making it easily accessible and tolerated, a condition conducive to the moral degradation of the community.
7. Decreases graft in connection with prostitution, and the exploitation of the prostitute.	7. Increases graft, by illegal toleration of commercialized vice, tempting the police to exact illegal revenue and confer illegal privilege. Gives free rein to the exploitation of prostitutes.
8. Decreases crime by enabling police supervision of a recognized crime center.	8. Increases crime by fostering viciousness and disease, providing a meeting-place for the idle and vicious, with whom, rather than with the police, the prostitutes sympathize and usually cooperate.
9. Safeguards against sexual perversions by providing an outlet for the unrestrained sexual appetites of men.	9. Fosters sexual perversions and abnormalities by educating men in habits of promiscuous sex relations until they cannot be satisfied by the professional prostitute except by perversions which she is compelled to practise.
10. Protects boys and young men from contact with the prostitute by removing temptation from the streets and residence districts.	10. Exposes boys and young men to contact with the prostitute by presenting an ever-present opportunity to 'go down the line and see the sights'. Provides a show-place for special obscene and depraved exhibitions, to which the youth is lured by 'runners' and the sale of lewd pictures.

CABARETS

The unsatisfactory conditions incident to the all-night sale of liquor in the cabaret resorts in the city, of which mention has been made in the Committee's reports, were specially investigated during the year. The Committee's belief that these places constituted a serious menace to the community was found to be more than justified. Formerly, but one restaurant made a specialty of catering to the all-night amusement seekers but with the introduction of the cabaret, the closing hour of many of the amusement resorts of this kind was extended. These places secured an all-night license, but under an arrangement with the Mayor, in whom the law vests discretion to grant or refuse such licenses, it was agreed that sales of liquor should cease at two o'clock and the places close shortly thereafter. The proprietors of these resorts, not satisfied with the additional hour, secured control of the charters of clubs incorporated prior to the enactment of the present Liquor Tax Law, and applied for Liquor Tax Certificates for such clubs. Under certificates so issued, the cabaret resorts continued their all-night business as long as their patrons remained. Membership in these clubs was a mere formality. In a few cases the prospective customer, by signing a register and paying a small fee, was declared to be a club member. No questions were asked as to the accuracy of the name signed, nor was identification demanded. Indeed, most of the patrons did not know the means by which the places remained open all night. Despite repeated efforts by the Committee to have the State and local authorities investigate the sufficiency of the club charters under which these certificates were secured, no action was taken by the local authorities and only an abortive effort made by the State authorities to test these club charters.

Conditions Observed

While some of these places undoubtedly catered to a legitimate demand and not to the prostitute, the great majority of them were but carefully conducted disorderly resorts. Not infrequently the same girls were found in them from time to time through the early evening and the late night. In many instances girls could be seen entering with one man and later leaving with another. In the friendly atmosphere which exists in such places late at night, it is not difficult for the prostitute seeking customers to meet men in a comparatively innocent way. Indeed, this is one of the great dangers of these resorts, that their real character is not obvious. As dancing is permitted in all of these places, the customary way for the prostitute to make arrangements with her prospective customer was while dancing with him, a man being permitted to dance with any woman whom he might ask. While in the more carefully conducted places men were not permitted to return and seat themselves at the girl's table, there was always opportunity during successive dances for arrangements to be made so that the couple could leave the resort at the same time, joining at the entrance.

This manner of making arrangements is such that the facts of the arrangement are not known to the management, or at least so known as to be incapable of legal proof. The fact that the same girl could be found in the same cabaret resort night after night, accompanied frequently on entrance by men of the underworld, that she left at the same time as a patron of better class, and not infrequently returned at early hours of the morning, does not constitute evidence that the management knew her real purpose in frequenting their resort. It is this difficulty of securing evidence which makes the suppression of these places by criminal proceedings so difficult. Any attempt to widen the rules of admissibility of evidence immediately creates a protest. It is held that these

restrictions are necessary to protect the legitimate proprietor from the dangers of prosecution from officials moved by improper motives. It is because of these difficulties of making legal proof that the Committee urged the authorities to proceed against the club charters and the certificates which were secured by them.

Girl Frequenters

The Committee's investigator, in the course of his many visits to these resorts, was able to secure a knowledge of the life of the women who supported themselves in this way. The story which he told of the dangers and difficulties of such a life, and how the girl sinks more and more into it, is one which aroused in every reader a sense of the danger of these places. Certain of his experiences with these girls, especially the girls who have not fallen into the lowest class of perverts, are of considerable interest.

The report came to the Committee during the winter of two sisters who endeavored to limit their customers to college men. For a long time the Committee's investigator was unable to find these two girls, but finally his attention was attracted by two girls whose dress differed from others of their class in that they made a specialty of wearing tam-o-shanters. He noticed that many men who endeavored to secure these girls as partners for a dance were refused. In order to make their acquaintance, he, one night, approached not the girls, but the men with whom they were. He introduced himself to one of these men as a college man and asked if he had any objection to his asking his girl companion if he might have the next dance with her. In the meantime, the girl was looking him over most carefully. Receiving permission to invite her to dance with him, he turned to her and received a favorable reply to his invitation. Unfortunately, then occurred a rest for the orchestra. Before the next dance was played, the party started to leave the

restaurant. The Committee's investigator approached his prospective partner and expressed regret at losing the dance and was thereupon invited to call upon her at her hotel the next afternoon. In answer to an inquiry for whom he should ask, he was told Miss ——. This was the girl for whom he had so long been looking.

Effect of 1 A. M. Closing

The full report of the Committee's investigator was brought to the attention of the authorities, and with the declaration of war orders were issued that all sales of liquor should cease at one a. m. With the enforcement of this order there was a noticeable influx of women on the street soliciting men after the closing hour. Many of these women were recognized as being those who were formerly to be found in the cabaret resorts, thus substantiating the investigator's report.

The Committee, in its endeavor to suppress these resorts, was without the help of the brewers and surety companies which it has received in many other cases. This is because these places are not under the control of the former, and were able to deposit cash in lieu of the usual surety company bond. If the cabarets should again remain open all night, an amendment to the Liquor Tax Law regarding club licenses should be secured to limit the issuance of such certificates to bona fide clubs.

The Committee is of the opinion that the responsibility for the extension of the very grave evils manifested in the cabarets must rest with Mayor Mitchel. It is the blot on his police administration. His tolerance of the pseudo-club, known to all connected with the night life of the city as a subterfuge, was responsible for the development of a new phase of the social evil, the cabaret prostitute—a phase more mercenary and debasing than anything known in New York for years.

Injunction and Abatement Law

The first case under the New York Injunction and Abatement Law to be brought in the city was made during the year in the Tenth Inspection District in which is included the so-called Eastern District of Brooklyn. The premises were an old-fashioned hotel of some twenty-five rooms, which at one time was most prosperous, but with the change in the lines of travel due to the opening of the Williamsburgh Bridge, lost its profitable business. This case was a most successful cooperative effort. The police charged the proprietor with keeping a disorderly house and selling liquor without a license. The Excise Department brought an action on the police evidence of Search and Seizure, under which they seized the alcoholic liquor found on the premises. The District Attorney brought the action under the Injunction and Abatement Law. On the night of the raid twelve couples were found in the house. The men and the women were each questioned separately as to their purpose in frequenting the hotel and as to their real relationship. In order to assure truthful answers to the questions asked, each was told that if there was any doubt as to the accuracy of the answers as to his or her real name or address a uniformed police officer would be directed to accompany him or her to the address given as his or her home. Only one man claimed that the woman with him was his wife, but she, when questioned, not knowing of his answer, admitted that she was not married to the man by whom she was accompanied that night. It was necessary only to accompany one man to his home—this man proving to be a sailor out of uniform.

The police found hidden in clothes-hampers in a closet a stock of liquor which was eventually sold for $500. Some of this liquor had evidently been owned by the proprietor from more prosperous times, while some of it had been purchased quite recently, judging from the bills.

The proprietor was convicted of both the criminal charges, and served thirty days in jail. The Excise Department secured

the necessary order for the confiscation and sale of the liquor seized and the motion for the injunction was not opposed.

Thanks to this cooperation a place was suppressed which had successfully opposed the efforts of three police inspectors to cause its abandonment. It is hoped that the success of this cooperation will stimulate similar work.

Penalized Owners

In the spring of 1917 the case of the Tenement House Department versus the Equitable Realty Company was tried in the Supreme Court, Part XIV, before Judge Weeks and a jury. The action was a suit by the City of New York to impose a penalty upon the owner of the tenement house No. 319 West Seventeenth Street, on the ground that he had knowingly permitted the premises to be used for the purpose of prostitution. After a trial lasting two days, concluding with a forty-minute charge to the jury by Judge Weeks, the jury answered in the affirmative the two questions submitted to them by the Court. The questions were: (1) "Was the building, 319 West Seventeenth Street, which is admitted to be a tenement, used for the purpose of prostitution?" and (2) "Was this use with the knowledge and permission of the owners as defined in Sections 153–154 of the Tenement House Law?" To both questions the jury answered "Yes." This is the first case in New York County in which the City has been successful in imposing this penalty and the second case to be brought to trial. The officers of the company in which was vested the title ownership of this tenement were Joshua A. Hanway and Alphonso Munger. The City proved by police officers a long series of arrests, dating from May, 1913, of women for prostitution in this house. From the testimony for the defendant it appears that the owner leased the whole house and that the tenant sublet furnished apartments. It was also shown that the tenant made only perfunctory investigations of the character of prospective sub-tenants.

It would seem reasonable to suppose that the success of this suit would have caused Messrs. Hanway and Munger to change the manner in which their property was conducted. This has

not been so, as is proved by the arrest and conviction of prostitutes on August 9 and September 1, 1917.

Suits for penalties for similar violations were discontinued upon the payment of the minimum penalty of $50 in the following cases:

Premises	*Owner*
756 Eighth Avenue	George Kern
161–3 Manhattan Avenue	Manhattan Ave. Holding Co.
125 West 28th Street	J. Boyce Smith
330 West 37th Street	Esther E. Cohen
332 West 37th Street	Maurice H. Cohen
257 West 39th Street	Seligman Manheimer
331 West 39th Street	Daniel Levy
267 West 40th Street	Rosana C. Hafner
243 West 41st Street (R)	Aaron Coleman
411 West 45th Street	John A. Hennion
31 West 65th Street	Sarah Hunter
309 West 111th Street	Elizabeth Held

Responsibility of Owners

The Tenement House Law as amended in 1913, increasing the responsibility of owners of tenements who permit their buildings to be used for immoral purposes seems to have been generally effective. The number of tenements from which women have been convicted of prostitution twice within six months has steadily decreased, and decreased in a greater proportion than the decrease in the total number of cases of women arrested for this offense. Prostitution depends for its profitableness upon being carried on in locations which are known to prospective customers, and anything which tends to destroy permanence of location by a prostitute reduces her opportunities for profitable business, and hence the temptation to continue the life.

A year ago the Committee seriously considered publishing the names of the owners of all property whose use for disorderly purposes had been proved by a conviction. It is the opinion of the Committee that such publicity might be unfair unless there was proof positive that the owner had knowledge of the unlawful

use, in which case he would be liable under the criminal law. It is the Committee's intention, however, should there be a second illegal use of the same property so proved, to give all possible publicity to the ownership. In order to be sure that the owners knew of the misuse of their property, the Committee notifies the owners of title in each case where a conviction for keeping a disorderly house is secured.

During the year but two convictions occurred for violations in buildings in which prior proved violations occurred. In the case of the first, the prior conviction was six years previous, while in the second there had been a legitimate change of ownership since the first conviction.

IV

GENERAL REPORT

By the Secretaries

LEGISLATION

The Liquor Tax Law was amended at the 1917 Session of the Legislature in many important particulars, and the Committee was able to render considerable assistance to Senator Brown, who was in charge of the amendments. An amendment was secured by which a certificate revoked or forfeited because the premises had been conducted as a disorderly house should not be renewed at the termination of the period of penalization of the premises. This new penalty will help to accomplish to a small extent what has long been the Committee's desire, a reduction in the number of liquor tax certificates. The most drastic of the amendments of the year was the reduction of the number of Liquor Tax Certificates in a community to a ratio of one to five hundred of the population. Unfortunately, this amendment applied only to places having a population of 55,000 or less. The increased tax imposed by the bill is expected to accomplish the same result in the larger cities and especially in the Boroughs of Queens and Richmond, and in the annexed District of the Bronx. The saloons in these parts of New York City have been in a proportion of one to three hundred of the population, counting women and children as well as men.

The bill also provides for a surtax on sales of liquor. This will equalize the fee required as between places favorably located and those where the sales are limited. If expectations are realized, the hotels around Times Square, instead of paying the same fee to the State as the small saloon in the poorer parts of the city, will pay ten to twenty-five times as much.

Amendment to Criminal Procedure

The Committee was successful in securing favorable legislative action on an amendment to the Inferior Criminal Courts Act to pro-

vide that when a jury trial is granted by a judge of General Sessions to a defendant charged with keeping a disorderly house, the trial shall proceed upon the 'information' and not upon an indictment, as is now required. It is believed that this amendment would result in a greater proportion of convictions in such cases than is now secured. The amendment, however, required the approval of the Mayor. This, as in 1915, he again withheld, stating that he was opposed to anything which would seem to weaken the power and position of the Grand Jury. This attitude is not in accord with the best opinion of the day on criminal matters; Grand Jury action, except on original investigations, having been abolished in twenty-six states.

The Committee had a similar regrettable experience, except that the disapproval was by Governor Whitman, after it had again successfully secured the legislative approval of an amendment to the Penal Law, providing that fines should not be imposed upon those convicted of prostitution or of keeping and maintaining a disorderly house. Here the Governor, like the Mayor, seemed unaware of the change of opinion. The reason given both times for his veto, was that the amendment would limit the discretion of the judiciary. Advanced public opinion tends more and more to remove from the judges the determination of the sentence. A good example of this change is the establishment of the Parole Commission in New York, which determines the length of detention of those who have been repeatedly convicted. The Parole Commission Law had the approval of the Mayor and Governor.

The Committee appreciates the consideration which Senator Brown gave to its suggestions and criticisms of his proposed amendments to the Liquor Tax Law. Its thanks are again given to Senator Wagner, Speaker Sweet, and their associates in the Legislature for their help and assistance in securing the adoption of the legislation which the Committee especially desired.

GRAND JURY AND THE COURT OF GENERAL SESSIONS

The Committee reported last year in full on the results of the granting of motions 'to transfer' in disorderly house cases by the Judges of General Sessions, and of the resulting action by the Grand and Petit Juries in these cases. If the defendant in a misdemeanor case desires a jury trial, application on his behalf is made before a Judge of General Sessions, and if the judge deems the reasons given for the desired jury trial sufficient he grants the application. The evidence is then submitted to the Grand Jury, which may either indict the defendant or dismiss the case.

Since January 1, 1917, a record has been kept in the Court of General Sessions of all motions for jury trials of persons charged with misdemeanors. The number of such applications to September 30 was 129, of which 17 were of persons charged with keeping disorderly houses, 79 of persons charged with violations of the Liquor Tax Law, and 36 of persons charged with other offenses. Such motions were granted in 82 per cent. of the disorderly house cases and in 91 per cent. of the Excise cases, while the percentage in all other cases was 58 per cent.

Of the 14 cases in which defendants were charged with keeping disorderly houses, on whose behalf motions had been successfully made for the transfer of their cases, 36 per cent. were indicted during the year as compared with 38 per cent. in the preceding year.

Of the 5 cases so indicted by the Grand Jury, during the twelve months, October 1, 1916, to September 30, 1917, only 1 has been disposed of and in that the defendant was discharged by Judge McIntyre on the motion of the District Attorney. Of the 4 indicted for keeping a disorderly house reported as pending September 30, 1916, only 1 was tried during the year and in that the defendants were acquitted.

An Acquittal by Jury

This case was of a rathskeller in the neighborhood of Fourteenth Street. From the evidence it appeared that while the

place nominally closed at 1 A. M. in reality it was open very much later, that after the nominal closing the cabaret singers mixed with the patrons, and that none of these women would order anything less than wine, the common name for champagne. The disorderly conditions were particularly distressing, as there was evidence that the managers were willing to assist in the alleged ruining of a girl alleged to be under the age of consent. The police witnesses in this case were men long and favorably known to the Committee's Secretaries. This case took eight court days to try and although it appeared to the Committee's Secretary who was present, that the Judge's charge was distinctly unfavorable to the defendants, the jury brought in a verdict of acquittal after a consideration of the evidence of only an hour.

The Secretaries' experience with the results of these 'transferred' cases, and especially with the delays which occur in their trial, warrants its protesting vigorously against such transfers. Delays are always to the advantage of the defendant, and the Committee's Secretaries believe that he has too many advantages even as it is. The statement made last year in this connection is worth repeating, that convictions of disorderly house cases in the Court of Special Sessions, the Court in which these cases are ordinarily tried, have almost universally been sustained upon appeal.

TABLE I

MOTIONS TO TRANSFER DISORDERLY HOUSE CASES FROM THE COURT OF SPECIAL SESSIONS TO THE COURT OF GENERAL SESSIONS, OR THE CRIMINAL BRANCH OF THE SUPREME COURT

OCTOBER, 1916, TO SEPTEMBER, 1917

MOTIONS GRANTED

Use of Premises	*Location, Police Inspection District*	*Judge Granting Motion*	*Grand Jury Action*
Saloon	Third	Rosalsky	Indicted [1]
Hotel	Third	Rosalsky	Discharged [1]
Hotel	Second	Rosalsky	Indicted
Saloon	Third	McIntyre	Indicted
Saloon	Third	McIntyre	Discharged
Saloon	Third	McIntyre	Discharged [2]
Saloon	Third	McIntyre	Discharged [2]
Saloon	Third	McIntyre	Discharged [2]
Hotel	Fifth	Mulqueen [3]	Indicted
Saloon	Third	McIntyre	Discharged
Hotel	Third	Bijou [4]	Discharged
Saloon	Third	Ford [4]	Indicted
Saloon	First	McIntyre	Discharged
Saloon	Third	McIntyre	Discharged [2]
Massage Parlor	Fourth	Goff [3]	Pending
Saloon	Third	McIntyre	Discharged [2]
Saloon	Third	McIntyre	Discharged [2]
Restaurant	Fourth	McIntyre	Pending
Saloon	Third	McIntyre	Pending

[1] Cases pending before the Grand Jury September 30, 1916.
[2] The same officers were witnesses in all these cases.
[3] Motion originally denied by Mulqueen.
[4] Judge in Supreme Court.

TABLE II

MOTIONS DENIED

Use of Premises	*Location, Police Inspection District*	*Judge Denying Motion*	*Final Disposition Court of Special Sessions*
Saloon	Third	McIntyre	D. O. R. [1]
Uncertificated Hotel	Third	Rosalsky	Acquitted
Saloon	Third	Mulqueen	Judgment Suspended
Hotel	Fourth	Rosalsky	Convicted; Sentence, 30 days

MOTION MADE AND WITHDRAWN

Hotel	Third	Rosalsky [2]
Massage Parlor	Fourth	Mulqueen [3]

[1] Dismissed on own recognizance: Defendant at Sea View Sanitarium.
[2] Motion renewed before Judge Bijou and granted by him.
[3] Motion renewed before Judge Goff and granted by him.

TABLE III

DISPOSITION OF TRANSFERRED DISORDERLY HOUSE CASES
COURT OF GENERAL SESSIONS

OCTOBER, 1916, TO SEPTEMBER, 1917

Use of Premises	*Location, Police Inspection District*	*Judge Granting Motion*	*Final Disposition*
Saloon	Second	Crain	Two defts. Both acquitted
Hotel	Second	Rosalsky	Discharged by Judge McIntyre on motion by District Attorney
Hotel	Third	Crain	Penitentiary

TABLE IV

DEFENDANT INDICTED PRIOR TO SEPTEMBER 30, 1916
CASE PENDING SEPTEMBER 30, 1917

Use of Premises	*Location, Police Inspection District*	*Judge Transferring*	*Date of Indictment*
Hotel	Third	Rosalsky	September 29, 1915
Hotel	First	Malone	September 21, 1916
Hotel	Third	Wadhams	May 17, 1916

DISPOSITION DISORDERLY HOUSE CASES

TABLE I

GRAND JURY ACTION

Cases transferred from Special Sessions		
Defendants discharged	11	
Defendants indicted		5
Indictment following original investigation		2
Cases transferred from Special Sessions, action pending		3

TABLE II

DISPOSITION, COURT OF GENERAL SESSIONS

Cases pending, September 30, 1916		6	
Defendants indicted October 1, 1916, to September 30, 1917			
Transferred cases	5		
Original cases	2		
		7	
			13

Indictment dismissed on motion		1	
Acquitted			
Transferred cases	1		
Original cases	2		
		3	
Convicted			
Transferred case		1	
Pending			
Indicted 1915	1		
Indicted 1916	3		
Indicted 1916–1917	4		
		8	
			13

THE COURT OF SPECIAL SESSIONS

The Trial Bench in the Court of Special Sessions consists of three judges who determine both the facts and the law. The Committee is especially interested in the proceedings in this Court, because in it are determined a very large proportion of the cases of persons charged with keeping disorderly houses. During the Committee year, ending September 30, the Parts of the Court trying cases occurring in Manhattan and the Bronx disposed of 103 such cases, as compared with 129 in the preceding year and 257 in the year preceding that. This decrease is for known reasons and does not indicate any decreased activity on the part of the police. Of the 103 cases disposed of in the Court, 60 were convicted, a decrease in proportion from the preceding year. Only 3 were punished by fines, as compared with 8 in 1916 and 25 in 1915. The amount of the fines collected equally decreased; being $400 in 1917, $1,350 in 1916, and $3,400 in 1915.

Use of Premises

The Committee has classified the use of the premises in which occurred the acts that constituted these cases. Seventeen of the buildings were tenements. In these cases there was some special reason why the defendants were not charged with a violation of the Tenement House Law and arraigned in the Magistrates' Court as is customary. Convictions were had in 15 of these cases. Restaurants were involved in 11 cases. Houses in which rooms were rented to transient guests figured in 21 cases. In these cases only 8 defendants were convicted, the evidence of the disorderly acts being frequently very slight. Premises certificated to traffic in liquor, being either saloons or hotels, were 59. In these cases, despite the fact that a conviction would penalize the place for a continuance of the sale of liquor for one year, the Court found the defendant guilty in two-thirds of those which were tried in this Court. Among these were three hotels which had been notorious as immoral resorts. While the convictions temporarily closed these hotels, experience has proved that per-

manent improvement is doubtful unless the building is reconstructed. Unfortunately, the cost of such alteration is so great that owners are reluctant to incur it, hoping that by a careful choice of lessee, and a more careful management, they may avoid the dangers and penalties of renewed immoral use. The latter has been the unfortunate experience of the owners of two hotels in the neighborhood of Fourteenth Street, where convictions for the second time were secured during the year.

Among the convictions of the year, involving saloons, were several which had long been under suspicion; in two instances, the proprietors of these saloons were old offenders who had long successfully avoided arrest.

The Committee's Secretaries desire to express again their appreciation of the hearty cooperation which they have received from the Justices of this Court, and especially from Chief Justice Kernochan; also from Mr. Albert B. Unger, the Assistant District Attorney assigned to this Court. This cooperation is especially valuable because of the large number of disorderly house cases tried in this Court.

It is with pleasure that the Committee's Secretaries report the continued activity of the District Attorney's office in proceeding against procurors and pimps. The convictions secured serve notice upon these individuals that they cannot continue their exploitation of women without serious danger to their personal liberty.

WOMEN'S NIGHT COURT

Conditions in this Court have not materially changed in the past year, although there was a reduction in the total number of cases of women charged with prostitution. The Court has been subject, as in preceding years, to considerable unsympathetic criticism. The Secretaries continue to believe that no woman not a prostitute has been convicted in this Court, and that the requirements of evidence should be made less severe. The main purpose of this Court is not to punish offenders, but rather to be one of the City's chief agencies in rescuing women from the life of prostitution. The magistrates who have accepted regular

assignments to this Court have been Messrs. Barlow, Cobb, Frothingham, and Marsh. To them, to Judge McAdoo, the Chief City Magistrate, and to Miss Smith, the Probation Officer at the Court, the City is indebted for the valuable and necessary work which is being done there.

During the last twelve months the number of street cases—women charged with soliciting, loitering, and vagrancy (Subdivision 4, Section 887, C.C.P.) was 1,242, as compared with 1,347 the preceding year. As between these kinds of cases there was a reduction of 50 per cent. in the soliciting cases and an increase of almost 100 per cent. in the vagrancy cases. In this latter class of case the evidence necessary for conviction is not as difficult to obtain as in the soliciting cases.

Of these cases one-half were convicted for the first time, according to the finger print records, an increase from the preceding year. This large proportion indicates that a large number of women who have begun the life of prostitution, either abandon it after their first conviction or so conduct themselves as to avoid a second arrest. The proportion convicted two to five times was also large—40 per cent. in 1916–1917 and 38 per cent. in 1915–1916.

Prostitution in Tenements

The number of arrests of women charged with prostitution in a tenement was 824, a decrease of 31 per cent. from the preceding year. This decrease is even more important than the figures indicated because of the increased number of cases which were the results of 'jump raids'. In these cases the material testimony is of conversations with a third party (the customer) in the presence of the defendant, or of the defendant's admission. Convictions on this testimony are more difficult to obtain than when the complaining witness (the police officer) is himself solicited. As a consequence, the percentage of convictions in these cases —Prostitution in a Tenement—has decreased from 77 per cent. in 1915–1916 to 67 per cent. in 1916–1917. The proportion of indeterminate sentences and sentences of ninety days or more has decreased in the case of these women from 23 per cent. to

13 per cent., while the proportion of sentences of one day—the sentence given when a magistrate believes the defendant should be put upon probation (a disposition which cannot be made in these cases)—increased from 5 per cent. to 8 per cent.

On the other hand there seems to be an increased fear of standing trial in this court, for the proportion of cases in which the defendant failed to appear, and as a result suffered the forfeiture of her bail, was doubled. Unfortunately, by this means, the defendant is able to escape with only a money penalty, for, although warrants are issued for the apprehension of the defendant, but few if any are re-arrested. The bail in these cases is ordinarily $300 cash or $500 real property.

During the year there was a considerable decrease in the proportion of cases from the Third Police Inspection District, in which is included the territory between Fourteenth and Forty-Second Streets between both rivers, while the proportion from the Upper East Side and Harlem increased.

The proportion of these defendants who stated that they were foreign born was 28 per cent., the same proportion as in the preceding year, while the proportion who were negroes was 14 per cent. as compared with 21 per cent. in 1915–1916.

Court Procedure

From time to time reports have been heard that there was collusion in cases at the Women's Court between the lawyers who appeared for the defendants and the police officers. An investigation was made by the Secretaries with the consent of the Chief City Magistrate, of the records of the Court to discover if they disclosed any grounds for these unfortunate reports. None, however, were disclosed, although several other facts of considerable interest developed. The most important of these was the large proportion of bail bonds which were of cash; 30 per cent. of the defendants, charged with prostitution, during the three months included in the investigation, being released on bail, while of this 30 per cent. over two-thirds deposited cash security. The explanation which has been given of this large proportion of cash bonds, is that the women, anticipating arrest at any time, either hold the necessary funds for bail in reserve or have jewelry

which friends can pawn and so secure the necessary cash. The Secretaries' study was of value in the endeavor to amend the law so that night sessions of the Women's Court would not be compulsory as at present. The amendment which was sought would have vested in the Chief City Magistrate discretion as to the hour when the session should be held. It was felt by the Magistrates and other friends of the Court that a day session would be more advantageous and that the advantages secured would be greater than any loss due to the discontinuance of the night sessions. The Secretaries' study disclosed the fact that 37 per cent. of the defendants arraigned in the Women's Court had previously been arraigned at a day session of the General Magistrates' Court, where they were held for the Women's Court. In a large proportion of the cases, over 80 per cent., adjournments were taken, so that the purpose of the night sessions—a speedy trial—was defeated and hence the "Night Court" had become unnecessary. The proposed amendment of the hours of session of the Women's Court was misunderstood by many, the report spreading far and wide that the Court was to be abolished. Indeed, prostitutes were arrested who were surprised to find the Court still in existence, stating that, learning of the report, they thought New York was again open.

Appeals

There were 1,186 convictions of street cases, from which there were 39 appeals. In the tenement house cases there were 600 convictions from which there were 28 appeals. The total number of appeals, 67 from 1,786 convictions, is very small, and when it is considered that in only 22 cases, or about 33 per cent., the conviction was reversed, we have a complete answer to those who claim that injustice is being done in this Court. Appeals from convictions by magistrates are to the Court of General Sessions and are determined by the Judge sitting at the time in Part I of that Court. Of these appeals Judge Nott affirmed the conviction in all of the three cases submitted to him; Judge Rosalsky affirmed 7 out of 9 cases, and Judge Mulqueen 5 out of 9; Judge Wadhams affirmed 6 out of 10, while Judge McIntyre, who determined 28 cases, affirmed 17 of the decisions of the magistrates.

The sentence was modified in 26 of the 45 cases affirmed; Judge McIntyre differed most as to the sentence, affirming without modification in only 4 cases of his 17 affirmances.

Questions as to Evidence

The Secretaries have made a special study of the grounds of these appeals and particularly to what extent the existing differences of opinion as to the admissibility of the testimony of the 'unknown man' referred to above, was a factor. Appreciating the value to the police of such admissions in the endeavor to suppress disorderly resorts, the magistrates have exercised special care in accepting or disallowing such evidence. In accepting it, they have been met with the decision of Judge Rosalsky In the Matter of People *vs.* Harcourt, a felony case. These cases turn upon the two points: (1) to what extent can testimony of conversation in the presence of the defendant, at which time the defendant stands mute, be admitted in evidence; in other words, does 'silence give consent'?; (2) to what extent may the admissions of the defendant be accepted against her? The study of the cases on appeal shows that these points were urged on appeal in 20 cases, and that in these cases the conviction by the magistrate was reversed in 11 of the cases, Judge McIntyre affirming 6 and reversing the same number.

Fortunately, this point can be determined by a higher court, for at the last session of the Legislature the Code of Criminal Procedure was amended to provide: "If the judgment on the appeal be against the People and it appears by the judgment that the reversal was for errors of law only, the People may appeal therefrom to the Appellate Division of the Supreme Court, provided a justice of the Supreme Court in the department wherein the judgment upon the appeal from the magistrate's decision was rendered, grant an order permitting such appeal by the People to the Appellate Division." In view of the importance of having the point settled, it is hoped that the District Attorney will take an appeal and thereby secure the determination of the disputed points.

Critics Answered

One of the cases frequently cited by the opponents of the Women's Court a year ago, as indicative of the unreasonable attitude taken by the magistrates, involved evidence against a medical institute massage resort on the West Side. In this case the conviction of the defendant was reversed. Believing that the place was in reality what had been alleged, a disorderly resort, the Committee's Secretaries successfully urged a special effort by a central office vice squad, to get additional and stronger evidence against the proprietress of the resort. After considerable effort, warrants were secured and the arrest made. The hearing of the case of the three defendants—two inmates and the proprietress—was given most careful consideration by the magistrate. They were represented by numerous counsel and the case was gone into at great length. As a result, the inmates were convicted and sentenced to reformatory institutions and the proprietress held for trial in the Court of Special Sessions. This case is among those transferred to General Sessions.

EXCISE DEPARTMENT

Early in 1917 the Governor appointed Herbert S. Sisson, of Buffalo, Excise Commissioner in place of George E. Green, deceased. Commissioner Sisson has shown considerable executive ability and department actions have been vigorously prosecuted. The number of penalty actions involving 'cash bonds' has increased. These are the places which were conducted in such a manner that the Secretaries refused to withdraw the Committee's protest against the writing of a bond for them by the surety companies. When such actions are successful, the full penalty is paid by the proprietor and not, as in the case of a surety bond, partly by the proprietor and partly by the surety.

The amendments to the Liquor Tax Law contained in the Brown Bill imposed considerable additional work and responsibility upon Commissioner Sisson. This work was satisfactorily handled by the department. It is difficult as yet to judge of the effect of the increased tax imposed by the Brown Bill, because it

has been impossible to get the figures for comparison. A comparison of the number of certificates on November 1 as compared with September 30, the date of expiration of the old certificates, shows a decrease of 1,000 certificates, or 10 per cent., in New York City. The number of certificates tends to increase during the year and there is a special increase in the early summer, when certificates are taken out for the summer amusement resorts.

The Commissioner reports that during the excise year ending September 30, 1916, 76 certificates were revoked by actions brought by the department under Section 23 of the Liquor Tax Law. This is an increase of successful actions of 20, or 36 per cent. During the same period 86 certificates were forfeited for violations of the Liquor Tax Law as proven by criminal convictions. This was a decrease of 15 from the preceding year, or 15 per cent.

Of the revocations, 16 were on the ground of disorderly or gambling, as compared with 10 in the preceding year. Of the forfeitures, representing successful action by the local authorities, 21 were on the ground of disorderly and 16 of gambling, as compared with 62 and 65 respectively in the preceding year—an interesting change.

The revocation or forfeiture for the violation of disorderly or gambling penalizes the places. Had the 1917 amendment to the Liquor Tax Law been in effect, 53 certificates would have lost the renewal privilege.

The increase of successful actions by the Excise Commissioner is much appreciated.

BUSINESS INTERESTS

It is again the pleasant privilege of the Secretaries to acknowledge the indebtedness of the Committee to the officers of the surety companies which write excise bonds for their continued cooperation. This cooperation has now continued so many years without even an attempt to disturb it, that it is an accepted fact. The success of the cooperation depends upon the attitude of the companies' special representative, Mr. A. E. Sheridan, which has always been most cordial. The Secretaries were able

to assist the companies to a limited extent to avoid writing vice resorts outside of New York City, sending to the State representative of the companies extracts from its New York State camp investigation reports.

The cooperation with the brewers, fully explained in the last report, has continued, although the anticipated extension of this cooperation did not occur, the brewers' attention being absorbed by the necessity of meeting the many legislative attacks, national and state, on their trade. By this cooperation, proprietors of whom the Secretaries complain are promptly sent to the Committee's office, with direction to remove the causes of complaint and comply with the requirements made by the Secretaries. When this was not done the liquor tax certificates were removed by the brewer and the place closed.

The 'Protest List' for 1917—the list of saloons and hotels which the Committee files annually with the surety companies and brewers of disorderly resorts or of places of which there is complaint—contained 1,093 addresses as compared with 799 in 1916. This total number includes those temporarily closed. These places are located in the different boroughs and compare with the total number of licensed places as follows:

	Places Listed	*Places Certificated*
Manhattan and Bronx	893	4,858
Brooklyn	152	2,663
Queens	47	1,423
Richmond	11	465

Cash bonds were filed for 26 places located in Manhattan, 2 in Brooklyn, and 1 in Richmond being for places which were opened without promises to maintain conditions satisfactory to the Committee.

BROOKLYN

The number of women charged with prostitution in the Borough during the twelve months ending September 30 was 324, and of these 133 were for prostitution in tenement houses, approximately the same number as in the previous year. The arrests on the latter charge were more or less general throughout the city, with

a slight preponderance in the Flatbush Avenue neighborhood. Included among these arrest was that of Rosie Hertz, for many years a power in the vice district on First Street, Manhattan. She was sentenced to jail for keeping a disorderly house on East Ninth Street, in February, 1913. Her latest offense occurred at Broadway, not far from the Williamsburg Bridge. Fearing another prison sentence she forfeited her bail of $500 and is now a fugitive from justice.

Street Conditions

Believing that street conditions in Brooklyn could be further improved, the Secretaries continued to urge the First Deputy Police Commissioner to enforce the provisions of Sub-division Four of Section 887 against the men who loiter on the streets for the purpose of inducing some woman to commit an immoral act with them. This the Commissioner has repeatedly declined to do, the last time stating that he did not think the law was broad enough to cover such a case, nor would he detail a man to make an arrest in such a case upon the complaint of a woman investigator from the Committee, thereby requiring that the arrest be made by the investigator or by a warrant. So far the Committee has not been able to overcome the handicap imposed upon it in bringing the test case, but the efforts will be continued, for the need, as shown by investigations, is as great as formerly.

Bijou Hotel

In the Committee's Report for 1915 appeared an illustration of the hotel at 20–22 Smith Street. That same report told of the indictment of Alfred Richardson for keeping this hotel as a disorderly house, and the 1916 Report of the trial of Richardson and his conviction. From the conviction an appeal was taken on an alleged technicality. Though argued early in the year, the appeal was not decided by the Appellate Division for many months, and though the conviction was affirmed, no opinion was written. From this decision Richardson took a final appeal to the Court of Appeals; the case was argued in October and a final decision is now awaited.[1]

[1] POSTSCRIPT. The Richardson case was decided by the Court of Appeals on December 11. The Judgment was reversed by a vote of five to two, Judge

For a year and a half this property stood vacant, although there were many who sought to reopen the hotel. Finally in February, 1917, against the General Secretary's better judgment, he withdrew the Committee's protest against the writing of a bond, first, however, securing the written promise of the brewery to remove the certificate should the new proprietor violate the promises which he made as to the manner in which he would conduct the hotel. These were that no women should be served in the place, nor a room rented to a couple. Almost immediately following the opening, the proprietor pleaded for a release of the former restriction. After a further delay he was permitted to serve women accompanied by men in the back room, provided that they were served with meals. This concession was granted because figures were presented showing that the place was being run at a heavy loss. During this period the place was carefully watched by the police and the Committee's investigators; indeed, one investigator actually lived in the hotel for several days. Finally a Committee investigator was solicited on the premises by a prostitute whom he had previously observed on Fulton Street. The proprietor and the brewer were notified of the fact and original conditions were again imposed. These were violated, women being served on the premises. The brewer proved that his word was as good as his bond, and on complaint removed the certificate and the place was again closed.

Court of Special Sessions

During the year 66 persons charged with keeping disorderly houses were tried in the Court of Special Sessions, Brooklyn.

Collin writing the majority opinion, and Judge Chase the dissenting opinion. Judge Collin holds that the trial judge erred in admitting the testimony which brought to the knowledge of the jury the fact of the defendant's prior conviction, because in view of the defendant's not taking the stand, his character was not an issue. He fails to comment upon the trial judge definitely charging the jury that the knowledge of this fact should not be considered by them in arriving at a verdict, stating that it was admitted only for the purpose of a possible impeachment of the witness of whom the question was asked. Judge Chase states in his opinion that the defendant was fully protected by the charge and that it would be unfortunate to restrict impeaching cross examination as would be necessary under the majority ruling.

This was a decrease from 92 cases in the preceding year. The proportion of convictions was, however, only 60 per cent. as compared with 78 per cent. in the preceding year. Fines were imposed in only 2 cases as compared with 5 cases in the preceding year.

One of the most interesting cases in which the Committee was interested involved a proprietress of a furnished room house on one of the quietest residential streets in the old part of the borough. This place was nominally a furnished room house, but the proprietress was not only willing to rent rooms to couples for immoral purposes, but also to secure women for that purpose for men whom she might know. Knowledge of this place was gained from an accidental acquaintance of a Committee's investigator. By this means an acquaintance was gained with the defendant and the information received confirmed. Exceptionally strong evidence was gotten by the police, who were introduced to the defendant by the Committee's investigator. It was fortunate that the evidence was strong, as the defendant was found to have many good friends who declared her arrest to be a police frame-up. When the full story was told in Court, she was promptly found guilty. There is reason to fear that there is a considerable number of similar places in the borough.

The Committee was also interested in securing the conviction of a druggist who sold drugs for abortion purposes to young women. His conviction and sentence to the Penitentiary removed a peculiar danger from a neighborhood where he undoubtedly had many opportunities for violations of the law against such sales.

QUEENS AND RICHMOND

The vice situation in these boroughs was quite satisfactory during the year, although complicated towards the close by the increase of the military forces at Fort Totten and Fort Wadsworth.

Queens Borough's *cause célèbre* among disorderly house cases was the conviction in October, 1915, of Eliza Altenkirch of Hoffman Boulevard, Jamaica. The case on appeal was argued in

February, 1917, and the Appellate Court affirmed the conviction without opinion. Thus was successfully closed one of the hardest and most disagreeable cases in which the Committee was especially interested.

The Committee was successful in closing an assignation hotel through cooperation with the brewer supplying the place. This resort had long been under suspicion, but the police were unable to get the necessary evidence. The evidence which caused the brewer to act was proof that the couples that resorted thither gave fictitious addresses. The place has since been reopened as a saloon, the proprietor living on the premises with his family.

Staten Island

During the year a law enforcement society was organized in the Borough of Richmond to suppress sales of liquor on Sunday, which led to disorderly conduct by toughs who used the trolleys on Sunday to and from the amusement resorts. On the complaints of this organization the Excise Department revoked an unusually large number of licenses and sued on the bonds in many more than the usual number of cases. These actions had a good effect.

The Committee endeavored to cooperate with the League in the suppression of the few assignation hotels to be found on the Island. The one of which the Association most complained was finally closed, as the result of a series of cases growing out of the experience of a young girl of sixteen. This child was ruined by a soldier on guard duty in New Jersey. She was induced to leave home by an immoral woman, who took her to friends of the same kind in Staten Island. Both these older women and the brother of one of them were convicted on the girl's testimony.

The Committee is endeavoring, through its investigations, to secure the improvement of road-house restaurants on the Island, frequented by couples for immoral purposes. It is hoped that these places can be cleaned up without criminal action.

The Law Enforcement League particularly protested against the conditions to be found on Holland Avenue, a street on the north side of the Island somewhat beyond the settled portion.

Here on an unpaved street are a score of buildings, in eight of which were liquor tax certificates. Their trade came chiefly from men of foreign birth who were employed in the neighborhood, many of whom board in the certificated places. Although the surety companies cooperated in refusing to bond more than three of these eight places, three other places secured certificates, putting up cash security.

Submitted

FREDERICK H. WHITIN
WALTER G. HOOKE

November, 1917

REPORT OF RECEIPTS AND DISBURSEMENTS BY THE TREASURER FOR THE FISCAL YEAR, 1916–1917

Receipts:		
Contributions, Interest and Pledge applicable to the year		$16,744.76
Contributions for Brooklyn work		707.00
		$17,451.76
General Disbursements:		
Salaries, Executive	$7,500.00	
Clerical	1,486.00	
Rent	698.03	
Stationery	242.26	
Telephone	262.98	
Carfare	367.93	
Postage	182.72	
Miscellaneous	286.57	
		$11,026.49
Investigation:		
Manhattan	$637.44	
Special	327.95	
Borough	279.79	
		$1,245.18
Brooklyn Disbursements:		
Clerical Assistance	$579.40	
Investigation	505.97	
Miscellaneous	18.40	
		$1,103.77
Special Disbursements:		$13,375.44
Annual Report and Reprints	$532.52	
Student Secretary	500.00	
Camp Investigations	2,445.00	
		$3,477.52
		$16,852.96
Office Furniture (Renewals, typewriters, etc.)		193.83
Total Disbursements for the year		$17,046.79
Balance unexpended, September 30, 1917		404.97
November 28, 1917		$17,451.76

We have had examined the vouchers and checks for the above receipts and disbursements and they have been found correct.

Signed, George Haven Putnam
William Hamlin Childs
Committee on Audit

CONTRIBUTORS, 1916–1917

New York

Abbott, Rev. Lyman, D.D.	$5.00
Alger, George W.	25.00
Baldwin, Mrs. William H.	50.00
Benjamin, Morris W.	10.00
Brewster, Robert S.	500.00
Brown, Rev. William Adams, D.D.	100.00
Bulkley, Mrs. Edwin M.	10.00
Burke, Thomas P.	5.00
Butler, Edmond J.	10.00
Carnegie, Andrew	1,000.00
Colgate, William	25.00
Collins, Charles	20.00
Dodge, Cleveland H.	500.00
Douglas, Dr. James	10.00
Emmons, Arthur B.	10.00
Ford, James B.	1,000.00
Fox, Hugh F.	20.00
Frank, Alfred	10.00
Frissell, Algernon S.	20.00
Glenn, Mrs. John M.	10.00
Grace, Joseph P.	500.00
Hadden, Mrs. Harold F.	20.00
Halsey, Mrs. Frederick A.	5.00
Harkness, Edward S.	*7,500.00
Hazard, Mrs. Barclay	5.00
Henderson, Mrs. Edward C.	5.00
Hodges, Harrison Blake	5.00
Hoe, Mrs. Richard M.	15.00
Hopping, A. Howard	2.00
Howe, Henry M.	5.00
Hoyt, John Sherman	25.00
James, Arthur Curtiss	2,500.00
Johnson, James W.	25.00
Kingsley, William M.	25.00
Kunhardt, Wheaton B.	10.00
Langdon, Woodbury G.	25.00
Lee, Frederic S.	10.00
Lewisohn, Adolph	250.00
Loeser, Vincent	5.00

* This contribution is to cover five years.

Lyman, Frank	$10.00
McGuire, Edward J.	10.00
"M"	5.00
Macy, Mr. and Mrs. V. Everit	100.00
Marks, Marcus M.	5.00
Marshall, Louis	25.00
Mason, George G.	250.00
Morgan, Mrs. John B.	10.00
Morgan, William Fellowes	10.00
Moskowitz, Mrs. Henry	15.00
Nathan, Frederick	5.00
New York Foundation, The	500.00
Nichols, John W. T.	10.00
Olcott, Mrs. E. E.	5.00
Openhym, Wilfred A.	5.00
Osborn, William Church	50.00
Parsons, William H.	10.00
Pedersen, Dr. James	25.00
Perkins, Mrs. George W.	25.00
Peters, Rev. John P., D.D.	25.00
Peters, William R.	250.00
Phipps, Henry	*500.00
Plaut, Joseph	15.00
Post, Abram S.	5.00
Rockefeller Foundation, The	*5,000.00
Rockefeller, John D., Jr.	2,500.00
St. James' Church	50.00
St. Michael's Church	25.00
Seligman, Isaac N.	250.00
Simkhovitch, Mrs. V. G.	5.00
Slade, Francis Louis	250.00
Slattery, Rev. Charles L., D.D.	10.00
Smith, Ormond G.	10.00
Stetson, Francis Lynde	100.00
Stimson, Henry L.	25.00
Stires, Rev. Ernest M.	10.00
Stone, Miss Ellen J.	25.00
Straight, Mrs. Willard D.	1,000.00
Straus, Percy S.	250.00
Strauss, Frederick	250.00
Tiffany & Co.	25.00
Todd, Prof. Henry A.	5.00
Tuckerman, Alfred	25.00
Villard, Mrs. Henry	10.00

* This contribution was apportioned between 1917 and 1918.

Villard, Oswald Garrison	$10.00
Warburg, Felix M.	500.00
Watson, Mrs. J. Henry	10.00
Wheeler, James R.	5.00
Woerischoeffer, Mrs. Anna	250.00
Wolff, Mrs. Lewis S.	10.00
Zabriskie, Mrs. George	5.00

BROOKLYN

A Friend	100.00
Childs, William Hamlin	250.00
Hentz, Henry	10.00
Low, Josiah O.	50.00
Low, Mrs. Mary T. F.	50.00
Merritt, Mrs. J. H.	5.00
Meserole, Mrs. J. V.	2.00
Pratt, Mrs. Frederic B.	100.00
Putnam, William A.	20.00
Sherman, Mrs. Charles E.	5.00
Tousey, Miss Elizabeth	10.00
White, Alexander M.	100.00
White, Hon. Alfred T.	100.00
White, Miss Frances E.	50.00

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THE STORY OF THE COMMITTEE OF FOURTEEN OF NEW YORK

REVEREND JOHN P. PETERS, D.D.

President of the Committee of Fourteen

To tell the story of the fight of the Committee of Fourteen against commercialized vice in the city of New York it is necessary to commence with a few words about the excise history of New York City in recent years, because of the intimate connection between liquor and prostitution, a connection which has been and is world-wide.

Before 1896 New York City controlled its own excise problems under certain general laws of the state. It determined to whom licenses should be issued and, under certain restrictions, the conditions under which those licenses should be issued, and this practical home rule, however faulty, at least afforded an opportunity to bring home to individual citizens their responsibilities, and to combine them for action, bringing neighborhood pressure to bear upon the authorities who issued the licenses. An agency for bringing the citizens together and forming public opinion was the Excise Reform Association, of which the president was Dorman B. Eaton. On the West Side of the city a branch or offshoot of this organization, called the West Side Excise Reform Association, was peculiarly active locally. The secretary of both these organizations was Thomas A. Fulton, and it was largely due to his indefatigable endeavors that all the churches of the West Side were united in support of excise reform. As a result of this activity, so far as the West Side was concerned, the excise situation was pretty decent. We were in general able to prevent the issuance of an excessive number of licenses, or the licensing of men of bad character, and to compel a certain decency in the management of places licensed to sell liquor. It was generally understood that no

prostitution and no gambling were permitted on the West Side. We found, of course, that the liquor traffic was intimately connected with politics, so much so that with a change of government the protection of the saloons changed, the district leader of the party in power, Republican or Democrat, being their protector and patron. But this also had its advantages, as we were able to reach these leaders through their parties, the independent voters being pretty well organized on the West Side, so that if one party misbehaved we regularly turned it out at the next election and put in the other party.

The control of the excise situation gave considerable political power, and it involved also a very large revenue for the government which controlled it. It was because of this that in 1896 the party in control of the state, the Republican party, being in need of more revenue and of greater political patronage and power, took away from the Democratic government of New York City the control of the liquor traffic. The law then passed has commonly been called the Raines Law, and justly, for it was in the main devised and put through by Senator John Raines, and was really administered by him until the day of his death, every Excise Commissioner of the state during that period and every appointee under that Commissioner, big and little, with only one or two exceptions, being actually nominees of John Raines or appointed with his approval. While the original purpose of this law was political or politico-economical, namely, to give to the Republicans instead of to the Democrats control of the liquor traffic in the city of New York, with the influence and the revenue connected with the same it was otherwise an honestly intended law. That is to say, there was no intention of bedeviling the liquor traffic or corrupting the morals of the city; in fact the rural and small town legislators and voters combined with their politico-economical plan of governing New York and exploiting the rich city financially an idea of improving its morals and the character of the liquor traffic by removing the control of that traffic from the wicked hands of Tammany and putting it in the pure hands of country legislators of the Republican party.

Although politico-economical in purpose, when the constitutionality of the law came to be tried out in the courts the highest court in the state decided that it was constitutional only as a police measure, to control and govern the traffic, not as a revenue measure. That is to say, revenue is incidental to the administration of the law, and not its object; it must be administered primarily to police the traffic. And according to its terms the Raines Law afforded an admirable opportunity to police the liquor traffic throughout the state, had it ever been honestly administered for that purpose. But in spite of the decision of the court, it has from the beginning down to the present time been administered for politics and for revenue.

Under the old law Excise Commissioners in the city of New York possessed certain discretion. They could refuse to issue a license if the neighbors objected to it, if they thought the person applying was an unfit person to manage a saloon, or for any other reason which in their discretion seemed satisfactory. Of course this discretion was open to abuse and it was, undoubtedly, much abused. The new law took away all discretion and provided for the automatic issuance of licenses on compliance with certain conditions. The person applying must have the consent of two-thirds of the owners of property used exclusively for dwelling places within a radius of two hundred feet (since increased to three hundred) of the door of his saloon. No new saloon could be opened within two hundred feet of a school or of a church, unless by the consent of that church, except that licenses must be issued to all saloons existing in such location before 1896. In the law a distinction was made between hotels and ordinary saloons, the gist of which was that a saloon might not sell drinks on Sundays or between one o'clock at night and six in the morning, whereas a hotel might do so, provided the drink was furnished with a meal. Hotels were defined in the terms of the state law, which required not less than ten bedrooms of specified dimensions, a dining-room, and a kitchen, with accommodations for a specified number of guests; but the law further provided that they must comply with all local statutes and ordinances governing hotels. The enforcement of this law was

intended to be secured by certain very drastic provisions. For any violation of the law whatever, either in the application for a license or the conduct of the place when licensed, the license might be revoked and, as the cost of the license had been set high ($1200 in the Borough of Manhattan), in addition to which a bond of one and a half times the value of the license was required, the money penalty was a very heavy one. To insure enforcement, moreover, the infliction of the penalty of revocation of the license was not entrusted to local sentiment as represented in juries, but any violation of the terms of the law being proved before a Supreme Court judge the license was automatically revoked and the place closed, unless and until another license was issued for the same place, such a license, however, not to be issued to the former licensee or to any member of his immediate family. The license revoked, the bondsmen were next mulcted in the amount of the bond, so that the total maximum legal penalty for a violation of the law by civil procedure was in the Borough of Manhattan $3000. In addition to these drastic financial penalties, falling on the proprietor, his backers, and incidentally the owner of the property, and made so easy of enforcement, there were also penalties of fine or imprisonment or both for certain violations, the enforcement of which was entrusted to the ordinary processes of the criminal law, through sheriffs, police, district attorneys, and the various local courts. While this law was far from scientific, very haphazard in its composition, and apparently framed by men who were either ignorant of city conditions or purposely ignored them, yet there was much in it of real value, and if from the outset it had been enforced by well-trained, capable and honest officials, without regard to party politics, primarily as a police measure, and only secondarily as a revenue measure, it might have produced very good results. That, however, is a matter of conjecture. In point of fact from the outset the Excise Commissioner became a mere peddler of licenses. His business was to sell as many licenses as possible and to secure as much revenue for the state as possible. The law was interpreted as laxly as possible, so as to permit of as

many saloons as could be called into existence. A saloon once licensed, no inspection was made to ascertain whether the representations under which the license was obtained were true, or whether it was being run according to the terms of the law. That was left to the city and county authorities under the criminal provisions of the law, notoriously difficult of enforcement, and even so, the Excise Commissioner made no effort to secure the coöperation of those authorities for the enforcement of the law. His effort appeared to be rather to put the city in a hole, taking all the advantage possible from the law for the state and his party, and leaving all the burden and odium of enforcing it to the municipal authorities.

As a result of the State Excise Commissioner's method of interpreting and not enforcing the law, there ensued a most rapid and extraordinary development of prostitution in New York City in connection with saloons. It was just as cheap to procure a hotel license as to procure an ordinary saloon license, so far as the primary payment was concerned, and the hotel license gave this immense pecuniary advantage, that the person possessing it might sell liquor practically but not legally at any hour of the day or night and on Sunday. Now Sunday from the saloon point of view was always more profitable than any two week days, and generally more profitable than the whole week put together. Consequently, it was eminently desirable to secure permission to sell on Sunday. It was soon found that the Excise Department would interpret the law so as to give the greatest license and secure the largest revenue. Instead of utilizing the provision by which a hotel must comply with local statutes and ordinances, and coöperating with local authorities to secure reasonable and proper hotel regulations and to prevent abuses of the hotel provision of the law, the Department merely asked whether a saloon had ten bedrooms, a kitchen and a dining-room, and even this merely *pro forma*. The applicant filled out the blank form stating that his premises complied with the provisions of the hotel law, the license was issued, and no inspection was made to ascertain whether the law was actually complied with or not. The same was true with regard

to Sunday sales. Having secured his hotel license, which permitted him to sell liquor with meals on Sunday, the licensee might proceed to sell liquor without meals at any time on Sunday, and keep his saloon open all Sunday and all night if he wished to, sure that he would not be molested, unless possibly he so outraged decency that the neighborhood arose and protested. And when the Department intervened, it pursued a policy so futile that if honestly intended, it can only be designated as asinine, and which certainly had the same effect as though it were dishonest, designed only to permit violation of the law for the purpose of collecting a larger revenue. Its method when roused to action was to secure evidence of violation, commonly for Sunday sales, submit the same to a judge of the Supreme Court, have the license revoked and in certain cases prosecute the bondholder also. This was equivalent to the imposition of a heavy fine, amounting in value to anything between nothing and $3000, according to the time of the year at which the license was revoked, and whether the bond was forfeited or not. At the beginning of the year the value of the license was the amount paid for it, which value decreased progressively through the year, it being worth in the last month less than $100. If the revocation was not secured before the close of the excise year, it involved in itself no money loss. The bond, on the other hand, always held the same value, and often the only object of securing a revocation was to proceed for forfeiture of the bond. The license revoked, the place was relicensed, nominally to another person, actually to the same person, under the name of a dummy, who was now left to violate the law at will, for the Excise Commissioner could not be induced to follow a place up with revocation after revocation until the law was obeyed, although a few such actions on his part, showing that he intended to enforce obedience to the law, would have made hotel-saloon keepers everywhere respect that law. The method actually pursued amounted to exacting from the saloon proprietor or hotel proprietor under the guise of a money penalty an extra fee for permission to violate the law.

Saloon keepers who secured hotel licenses found, of course, that in the great majority of cases there was no demand for a hotel, and least of all for a hotel of ten rooms. Nor did they wish to run hotels, and most of them had no facilities for doing so. But even the pretense of ten rooms, which they were obliged to have for safety's sake, that the claim to be a hotel might not be too evidently and too flagrantly fraudulent, involved a certain expense if those rooms lay idle. The rooms, however, could be utilized profitably for no other purpose than prostitution. From the outset a number of the more unscrupulous saloon keepers seized the opportunity and used their ten rooms as an assignation and prostitution annex to the saloon, and soon others, who originally meant to be decent, found themselves drawn or driven into a similar use through opportunity or under the compulsion of competition, until saloons in general became bawdy houses, and the residence districts and tenement houses of the city were full of so-called hotels, which were in fact houses of assignation or merely houses of prostitution with a bar room attachment.

The upper West Side, a residence section, hitherto practically exempt from prostitution, was soon overrun, like the rest of the city, by prostitutes. Solicitation on the streets was frequent, respectable apartment houses were invaded, saloons became disreputable hotels, or dives and low dance halls. The evil centered especially around 110th Street, Cathedral Parkway, which came to be known as "Little Coney Island," a perfect nest of infamous dance halls and Raines Law hotels. An attempt to organize the churches to fight the evil failed. Conditions began to threaten property values, and at last a property holders' association was formed to combat the evil, the Morningside and Riverside Heights Association, with Professor Francis M. Burdick, of Columbia, as president, and, with a view to securing church support, the pastors of three of the neighboring churches, Roman Catholic, Presbyterian and Episcopalian, as vice-presidents. This Association proved very effective in repressing the evil, but the fight was a hard one, and at the outset, certainly, the Association got little help from either the State Excise Department and the Governor, or the

local Police Department and the Mayor. For instance, a man who had conducted a very bad saloon downtown, with gambling and sexual attachments, moved into the upper West Side with the boast that he had so strong a backing that he could conduct what sort of a place he pleased. He failed to get the required consent of two-thirds of the property holders, but presented his application with a statement that he had that consent, and under the law the Excise Department granted the license. We secured affidavits and laid the facts before the Department and asked it to proceed at once to have the license revoked as obtained under false pretenses. The Department did not act, although we tried in every way and repeatedly to make it do so. Finally we went to Albany to lay the matter before the Commissioner himself. By chance he was absent, and an underling most naïvely revealed the whole situation. Not knowing who we were, he told us in a somewhat aggrieved and complaining manner that representatives of the churches, and of citizens' organizations on the west side were urging the Excise Department to take action to revoke the license of this saloon and prosecute the bond, but on the other hand the Republican leader of the district told him to do nothing of the sort. What was the Excise Department to do under the circumstances? After repeated efforts we finally got a promise that, when the present license was run out and a new license issued, the Commissioner would investigate, and, if he found the law had again been violated by a false affidavit, institute proceedings. In point of fact as a result of our continued insistence he did ultimately institute proceedings, but partly because of the ineffective manner in which it was done, partly through an "inexplicable delay on the judge's part," when the license was revoked it had been allowed to run through so much of its time that there was practically no penalty incurred by the revocation. That place, it may be added, continued to run after the revocation, under a new license and the old management, but with its malign activities in gambling and prostitution somewhat reduced.

Perhaps it was to offset this that the Republican machine allowed a bill introduced by Mr. Bennet to pass the legislature

forbidding dance halls within half a mile of a Cathedral in cities of the first class; which was promptly declared unconstitutional.

When we protested to the Excise Department regarding its failure to enforce the law, it always asserted its good will and its innocence and called heaven to witness that it was the wicked city government and the police which did not do their part, and that the state could not be expected to do the whole thing; and it is true that the city authorities were delinquent and that we found the same plain evidence of alliance between the city authorities and vice, which we did between the state authorities and vice, as the following incident discloses.

Little by little we had succeeded in closing the dance halls, with the exception of one particularly objectionable place connected with a saloon in Little Coney Island, which we tried in vain to close, discovering ultimately that it was backed by one of the great public service corporations of the city. One night I received private information from a policeman, for many of the individual policemen were with us and doing their best for us, that this place would be open all that night and that a disreputable dance with other objectionable features would be in progress. This policeman was to be on beat. If one of the gentlemen of the district would come along at two o'clock, he would be at a certain place and on the gentleman's orders would go in and close the dive. He did not dare to act without some of the gentlemen standing behind him, otherwise the police captain and his chief would see that he was punished. If one of the gentlemen would come in person he thought it would be all right. One of us did, and the policeman went in to close the place. Thereupon an all night license for that night was shown, issued by the Mayor with the special understanding that it was only to be used in case of extreme need, for he did not wish it to be known that he was supporting the place.

Gradually the whole neighborhood became aroused, able lawyers gave their services, we engaged detectives who secured evidence of violation of the liquor law against place after place; various members would volunteer as complainants, and we invariably secured revocation of the license and forfeiture of the

bond. As, moreover, we followed up each place with continuous prosecutions, unlike the methods of the Excise Department, we succeeded in putting the fear of the law into the hearts of the offenders and were driving all the dives out of our neighborhood, when the law was changed to hinder us. The Excise Commissioner and John Raines had become alarmed. If our methods were generally adopted it would sadly interfere with the state's peddling of licenses to sell liquor, and the extra fee of a revocation and bond forfeiture at intervals for the privilege of violating the law. If the citizens everywhere were to combine and prosecute as we were doing, the saloons would actually have to obey the law or go out of business. Accordingly, on recommendation of Governor Odell, the law was changed to take away from private citizens the right to institute proceedings and confine that right to the Commissioner of Excise. By this time, however, feeling in the district, naturally a residential one, which it was to the interest of property holders to keep clean, was so strong that even with this handicap we were able ultimately to suppress practically all openly offensive resorts. I have given the story of this fight on the West Side somewhat in detail, because our experiences there illuminate the background of the whole matter.

Conditions in other parts of the city were much worse than those on the West Side. The whole situation was finally forced on public attention by the treatment accorded by the police to the complaints of the Vicar of the Episcopal Pro-Cathedral, now Bishop Paddock of Eastern Oregon. The facts were brought to the attention of the Diocesan Convention of the Episcopal Church in the autumn of 1900, and a resolution adopted by that Convention calling upon the Bishop "to investigate the indignities alleged to have been offered to the clergy of the Pro-Cathedral by the police authorities of the district in which said Pro-Cathedral is situated, and if just cause be found, to make formal protest in the name of the Church to the Mayor of New York." Bishop Potter's letter of protest to Mayor VanWyck, dated November 15, was an epoch-making document in the fight against vice and for good government in our cities.

"I affirm," he writes, "that such virtual safeguarding of vice in the city of New York is a burning shame to any decent and civilized community, and an intolerable outrage upon those whom it especially and preëminently concerns. . . . I approach you, sir, to protest with all my power against a condition of things in which vice is not only tolerated, but shielded and encouraged by those whose sworn duty it is to repress and discourage it, in the name of unsullied youth and innocence, of young girls and their mothers who, though living under conditions often of privation and the hard struggle for a livelihood, have in them every instinct of virtue and purity that are the ornaments of any so-called gentlewoman in the land. . . . The situation which confronts us in this metropolis of America is one of common and open notoriety, and of such a nature as may well make us a by-word among the nations of the world." This letter echoed through the whole country, printed and editorially commented on and endorsed by the press everywhere, and it roused New York to action. Vice committees were formed all over town. Prominent citizens within the parties remonstrated with their leaders. Isidor Straus made a personal plea for reform to Richard Croker as head of Tammany Hall, and even Mayor VanWyck was goaded into some sort of action. The result of this letter which has the most direct bearing on the story of the Fourteen was the meeting of citizens at the Chamber of Commerce, November 1900, at which a Committee of Fifteen was appointed (1) "To initiate a searching inquiry . . . into the causes of the present alarming increase of gambling and the Social Evil in this city." (2) "To publish the results of such investigations;" (3) "To promote such legislation as shall render it less difficult to reach offenders, and as shall put an end to the shifting and division of responsibility;" (4) "To suggest and promote the provision of more wholesome conditions and surroundings."

After a most careful investigation this committee, of which William H. Baldwin, Jr., was chairman and Professor E. R. A. Seligman secretary, reported the results in February of 1902 in the form of a volume entitled *The Social Evil*, published by

Putnam.[1] The suggestions of this Committee were: (a) Strenuous efforts to prevent in the tenement houses the overcrowding which is the prolific source of sexual immorality. (b) Furnishing by public provision or private munificence of purer and more elevating forms of amusement to supplant the attraction of the low dance halls, theatres, etc. (c) Improvement of the material conditions of the wage-earning class, and especially of young wage-earning women. (d) A better system of moral education in sexual matters. Its recommendations were: (1) Adequate provision of hospital accommodations for venereal cases. (2) Coercive confinement of debauched minors in asylums or reformatories. (3) A change in the attitude of the law. Prostitution must be driven out of tenement and apartment houses; must not be segregated in separate quarters of the city; "all public, obtrusive manifestations of prostitution shall be sternly repressed." (4) The creation of a special body of morals police to whom should be entrusted the duties of surveillance and repression.

In an appendix to this report, entitled "The Raines Law Hotel and the Social Evil," the situation existing in New York was thoroughly exposed. It was pointed out that "the effect of the Raines Law has been to provide unexampled accommodations for prostitution;" that New York "presents the unique feature of providing virtual houses of accommodation throughout the city, quite without regard for the actual demand for them. As a consequence all difficulties that normally lie in the way of soliciting in other than notorious parts of the city are removed. . . . . As a result, solicitation is probably more general in New York than in any other American city." "The possibility, due to the Raines Law hotels, of soliciting now in one part of the city, now in another, increases immensely the number of persons whom the prostitute can subject to her allurement." "More serious still, many of the Raines Law hotels are themselves the scene of most insidious and therefore most effective solicitation." Precisely because they are licensed hotels, presumably decent places, "the average citizen goes there to drink his glass of beer and listen to the bad music and worse jokes

[1] A second edition revised and enlarged by E. R. A. Seligman appeared in 1912.

that play so important a part in summer entertainment. When there he becomes subject to solicitation which has the appearance of a mere flirtation; if he yields it is with the least possible shock to his moral sensibilities; he may feel that he did not seek vice but was overcome by circumstances. The convenient arrangement of rooms makes exposure unlikely." "Most serious of all, however, is the fact that the Raines Law hotel which stands on the line between vice and harmlessness is very frequently the place where the growing boy is introduced to the mysteries of immorality." "The effect of such institutions as the Raines Law hotel in increasing the number of those who earn their living by immorality is obvious." "Many who are just starting on the downward path would shrink from entering notorious haunts of vice. For such the Raines Law hotel is naturally convenient." "The most damning charge of all, however, is that the Raines Law hotel provides the greatest known facilities for seduction. Young girls, brought by unscrupulous escorts to enjoy the entertainment given, are regaled on beverages of the influence of which they are ignorant and, by the aid and assistance of the hotel provision, fall easy victims." And having thus been victimized, the path into professional prostitution is open, and indeed the victim is almost compelled to tread that path. The infamous cadet system with its white slave attachment grew out of the Raines Law hotels.[2] The Committee further pointed out that the evils enumerated were due, not merely to the Raines Law, but to the manner in which it was enforced, and that decent saloon keepers, "under the Raines Law as it had been applied," were driven to turn their saloons

[2] A "cadet" is a young man, generally eighteen to twenty-five, trained through previous experience as a "light-house," i.e., a sentinel or watch boy for a house of prostitution, whose occupation is professional seduction. Dressing better than the ordinary boy, with jewelry and style, the cadet secures the friendship of some shopgirl, pays her attentions, takes her for refreshment to a Raines Law hotel, drugs and ruins her. At his mercy, she goes to live with him, and finds herself the inmate of a house of prostitution. Here she becomes a "white slave" and is forced to receive visitors, for each of which she receives from the house a brass check for twenty-five cents, which she must turn over to her owner, the "cadet" who brought her there. (Condensed from Report of Committee of Fifteen.)

into Raines Law hotels by "an active influence which favors those who do not hesitate to make themselves the abettors of vice;" that is to say, by the influence of the authorities charged with the enforcement of the law. Incidentally, the Committee suggested "the removal of the restriction upon the selling of alcoholic beverages on Sunday," so as to abolish the incentive to making hotels out of saloons!

With the publication of this report of its investigation, with suggestions and recommendations, the Committee of Fifteen went out of existence and the death, shortly after, of William H. Baldwin, Jr. removed one who might have taken the lead in an effort to follow up exposures and recommendations by securing a change in the law and compelling its enforcement.

Before this report was issued the general exposure of the horrible conditions prevailing had led to the municipal overturn of 1901, the election of Low and Jerome, and an activity by the city authorities which had produced by 1902 a considerable improvement. So far as the state was concerned, however, conditions remained unchanged. The number of Raines Law hotels was not reduced and the "active influence" pushing saloon keepers into the "hotel" traffic continued. New York State was making enormous profits out of the business practically of licensing houses of prostitution in New York City.

It became evident that unless some organization was formed specifically to combat the Raines Law hotels that evil would continue to increase. Accordingly, in January of 1905 the Anti-Saloon League called a luncheon meeting of a number of representative men and women to talk over the situation. This was followed by a call by the City Club, dated January 10, for a conference "to discuss appropriate legislative measures and other forms of action necessary to accomplish . . . . the abolition of the Raines Law hotels," and announcing the Club's intention of making an "important feature of its work during the winter the securing of legislation which will abolish the greater part of the Raines Law hotels in this city." The result of this meeting was the organization on January 16, 1905, of "The Committee of Fourteen requested to manage the cam-

paign to abolish Raines Law hotels." This Committee comprised one member of the former Committee of Fifteen, George Haven Putnam; the City Club was represented by its secretary, Mr. Lawrence Veiller; the Anti-Saloon League by its superintendent, Rev. Howard H. Russell, and its secretary, Thomas H. Reed, who became secretary of the Committee; the Morningside and Riverside Heights Association, to which reference has been made as having been so active and successful on the West Side, was represented, as a result of those activities, by two members, Professor Francis M. Burdick, its President, and myself, one of its Vice-Presidents; Hon. William S. Bennet represented both the Anti-Saloon League and our association; settlement workers were represented by Rev. Lee W. Beattie and Mrs. V. G. Simkhovitch, the only woman on the Committee. Five other gentlemen were appointed with the idea that they would represent great religious interests as such, Roman Catholics, Jews and Methodists. These were the acquiescent members of the Committee.

Based on the report of the Committee of Fifteen on conditions in New York,[3] supplemented by its own investigation of actual conditions, the Committee of Fourteen caused a bill to be introduced in the Legislature on February 15, 1905, requiring an inspection of all hotels, to determine whether they complied with the provisions of the hotel law, before a liquor license could be issued.

This bill was introduced in the Senate by Senator John Raines and, with no apparent opposition in either house, was held in committees, amended out of all value, incorrectly printed, bedeviled and blocked by unseen hands, until on May 1st the Committee of Fourteen repudiated the emasculated bill and issued a public protest in which, among other things, it said:—

The numerous amendments of the bill in the Senate and curious procedure in the Assembly, furnish food for much speculation. It is the judgment of this Committee that one of the causes for the many

[3] The appendix on "The Raines Law Hotel and the Social Evil" had been reprinted as a pamphlet by the City Club and issued with the call to the meeting for formation of the Committee of Fourteen.

delays was the deliberate intention to prevent this bill from becoming a law until after May 1, so that the dens of infamy which pay the yearly liquor tax of $1200 each might every one pay this sum into the State Treasury. The Raines Law hotel is an outrage on common decency, and must not exist during the ensuing year. In scores of them, men unaccompanied by women cannot obtain rooms; in scores more the permanent female inmates are detained by force and by the refusal of proper street clothing. In dozens more the ruin of young girls is accomplished nightly through the use of liquors, drugged when necessary; around them center the hideous "cadet" and "brass check" system. Many of the inmates are children between thirteen and sixteen. Scores are girls from the rural portions of this and other states, who, having been lured and trapped into these unspeakable resorts, remain either through shame or because detained by force. Ninety per cent of these counterfeit hotels exist in plain violation of law; none could exist without a liquor license, and the $1200 yearly, which each pays, has so far appealed more strongly to our legislators than the vileness fostered by them.

It may be added that the apparent agent in bedeviling and blocking our bill was Senator Raines, in coöperation with his Commissioner of Excise, and Governor Higgins was a tool in the process. In general, in our first attempt at legislation, and for a long time thereafter, we found appreciation and assistance on the part of the New York City representatives in the Legislature, at first the Republicans but soon both Democrats and Republicans, and opposition or apathy from "up the State," legislators from those districts regarding New York City solely from the revenue standpoint, quite eschewing moral considerations through ignorance or unbelief.

As at that time liquor licenses were issued on May 1st, our bill had now lost its value for that year, but we made such a noise that the so-called Ambler Bill was passed, permitting citizens to call upon the Excise Department for inspection of any hotel to which a liquor license had been issued, suspected of not complying with the provisions of the law regarding hotels. If, on such inspection, it proved that the building did not comply with the provisions of the law, the hotel permit must be revoked by the Excise Department and the use of the building as a hotel stopped

by the Commissioner of Buildings. The Committee made about 200 complaints under this law, and 144 permits were revoked. The constitutionality of the law was contested, however, and the will of the people as expressed by the Legislature finally reversed by the Courts. But although declared unconstitutional, the passage of the Ambler Law had valuable results. In Buffalo it brought together the Brewers Association, the Excise Department, and the superintendent of the Anti-Saloon League in a conference in which the first named agreed to withdraw their support from such hotels as should be satisfactorily shown to be places of evil resort, by which agreement 149 out of 229 hotels were put out of existence.

Our investigations of 1200 hotels in the Borough of Manhattan had convinced us that at least 700 of these were places of evil resort, and had revealed conditions too vile for publication. Against 200 of these, contained in a list furnished by the Police Commissioner, Mr. McAdoo, and where we had therefore official corroboration, we instituted proceedings under the Ambler Law, securing, as already stated, 144 revocations of hotel permits by the State Excise Department and the Commissioner of Buildings of Manhattan. Police, Excise, Commissioner of Buildings, and District Attorney coöperated, but the courts blocked the way. One of the worst offenders, the Hotel Darlington on Eighth Avenue, was backed in its fight by the Pabst Brewing Company. Publication of this fact and comparison of the attitude of the brewers in Buffalo with that of the brewers of New York led the latter to seek a conference with us. While the brewers do not directly appear as the holders of licenses, nevertheless, through loans, mortgages and the like, the great bulk of the places where liquor is sold, including the Raines Law hotels, are under their control. On this account we held them responsible for the evil conditions in those resorts disclosed by our investigations. At first they disputed our facts. Then they made investigations of their own, as a result of which they recalled the permits of a number of resorts, expressed their desire to withdraw from the support of all places of evil repute when convinced by satisfactory evidence that they were such, and

withdrew their opposition to our proposed bill of the preceding winter, which had been one of the causes of its strangling in the previous Legislature.

Our bill of the preceding year, in an amended form, suggested by the Commissioner of Excise, who seemed to have changed his mind with the brewers, providing for inspection of all premises applying for hotel permits to sell liquor in advance of the issuance of such permit, was introduced in the Legislature of 1906, but although apparently supported by everyone, was again nearly strangled by unseen hands. The immediate effect of this Prentice Law, so-called from its sponsor, was the reduction of hotel permits in the Borough of Manhattan from 1304 in 1905 to 650 in 1906, and an examination of the bonds showed that the brewers had lived up to their expressed desire of the preceding year to release themselves from objectionable relations with notorious resorts.

While the number of hotel permits was halved, however, the number of liquor licenses remained the same, and the question at once arose, "Will the saloons which succeed the 650 Raines Law hotels continue the Raines Law hotel business?" Up to this time, with the exception of the investigations of hotels made to determine actual existing conditions, as a basis of legislation, which had been done in general by detectives engaged for the purpose, the work of the Committee had been the securing of legislation to remedy the most glaring defects of the Raines Law which had led to the creation of the Raines Law hotels. It had had no office, depending on the hospitality of the City Club and the Anti-Saloon League, no paid force of any sort, the Secretary of the Anti-Saloon League acting as its secretary, and both the above-named organizations furnishing stenographic assistance. So far it had succeeded almost beyond expectation, but it was clear that to make this apparent success real, and to carry the work to completion would involve long and patient work with someone continually "on the job," supported by a more permanent organization. Three of the original acquiescent members had already withdrawn, and their places been filled by Messrs. Schieffelin, I. N. Seligman, and Slade. In January of 1907, the

committee was further reorganized for permanent work and incorporated under the title of *The Committee of Fourteen for the Suppression of Raines Law Hotels in New York City*, an office was rented at 27 East 22d Street, and Mr. Frederick H. Whitin was engaged as Secretary on part time. Of the original fourteen only six remained in the new committee. This included three women, Mrs. W. H. Baldwin, Jr., widow of the Chairman of the Fifteen, Miss Frances A. Kellor, and Mrs. Simkhovitch, who were constituted a sub-committee for special investigation, with Professor Burdick as counsel. In this reorganization one of the acquiescent interests became most effectively active through Archbishop Farley's nomination of the then President of the Catholic Club. At this time, it may be added, the original papers of the Committee of Fifteen were turned over to the Committee of Fourteen as its legitimate successor and heir.

At the commencement of its work the Committee had of necessity incurred some publicity, and it had been obliged to conduct something like a pitched battle with the Excise Commissioner and the powers behind him in Albany. Having obtained the legislation referred to, it proceeded to adopt a policy of coöperation vs. opposition, and of reticence and modesty vs. publicity. It believed that public discussion of the matters in which it was working tended to corrupt society, and from experience it seemed that notoriety in those matters tended to alienate the authorities, through whom ultimately the work must be done. This policy of silence made the collection of funds more difficult. Our budget was very modest, $5000 as a maximum, while the amount annually collected was actually only a little more than half of that amount. We did our work with inadequate means by much service of love; but we believed that we secured better and more permanent results in this way than by parading with a brass band. As to coöperation vs. opposition, experience had convinced us that those holding public office in general desired the good of the public, not its evil, and that our job should be therefore to put ourselves at their service, to coöperate with them in seeking that good, to seek to win and to deserve their confidence, to assume their good intentions in any given case

unless proved to the contrary, and in such case not to make public condemnation of their action except in the last resort, and above all not to indulge in vituperation or personalities. Mr. McAdoo, the first Police Commissioner with whom we came in contact, viewed us at the outset with suspicion, then came gradually to trust us, and after he laid down that office, he was a member of the Committee of Fourteen until appointed Chief Magistrate. After a brief period of suspicion, the next Commissioner, General Bingham, admitted the Committee of Fourteen into full confidence, a confidence which it has enjoyed practically without interruption from that day to this, and a confidence which gradually extended downward from the Commissioner and his deputies to inspectors, captains and the force in general, until at times it has almost seemed as though the Committee of Fourteen were an adjunct of the police force. Similar if not so close relations were in time established and have been in general maintained with the Magistrates and the Courts, the Tenement House and Health Commissioners, the Department of Correction, the Excise Commissioner, and to a less extent with the District Attorney. The Committee has sought to support these different official agencies, presenting to them its information, and soliciting from them advice and information for guidance in its work, legislative and executive, and at the same time to induce a better coöperation and collaboration between these agencies themselves. Similarly it has sought to coöperate with and help to coördinate the various unofficial agencies touching at one or more points the same field, the Society for the Prevention of Crime, the Society for the Suppression of Vice, the Society of Social and Moral Prophylaxis, its very twin, born in the same year with and from the same impulse as itself, and to foster, serve and work with local societies and Church and benevolent organizations and institutions, interesting them in the suppression of particular violations and informing them of their rights and the most effective way to secure them.

It early became clear to the Committee that certain business was closely associated with the social evil, and that in particular the Raines Law hotels could not exist without the support of the

brewers and liquor dealers, the surety companies and the owners and managers of real estate, a support given, as it came to believe, without a realization of their actual responsibility in the matter. As already related, almost at the outset of its work the Committee had come in contact with the brewers and had put up to them their responsibility for the conditions existing. The Committee claimed that it was not only a moral obligation, but also good business for the brewers to assist in suppression of violations of the law because, "among other things such violations are apt to result in the passage of more stringent laws, higher license fees, severer penalties or, in some sections, total prohibition of the sale of liquor." The response was gratifying. The national and state brewers' associations declared their intention to suppress all disorder in places under their control. The Liquor Dealers Association took a similar action, and both took steps which resulted in eliminating some of the worst resorts. Similarly the Committee had taken up with the surety companies, which were deriving large profits from bonding infamous resorts, first addressing themselves to the presidents and then to each individual director of the companies bonding Raines Law hotels, the moral issues involved: that "by supplying the bonds for these infamous resorts—the bonding companies were making themselves, in a sense, partners in the vice." This also met with a favorable response; but for some time it was the case that individual brewers and individual bonding companies continued to support and bond infamous resorts, and as a result of this sort of competition, or with it as a pretense, others would do the same, among other things the beer signs of breweries professing co-operation with us being displayed over some of the worst places in town. The records of the Committee during this period are full of conferences with brewers and recalcitrant surety companies, and protests against their action or failure to act. Finally at a meeting held at the Brewers' Board of Trade, April 23, 1908, Colonel Jacob Ruppert, President of the State Brewers' Association, handed to the Committee of Fourteen the following agreement, signed by 95 per cent of the brewers in New York City:—

We, the undersigned brewers, doing business in Greater New York, recognizing the propriety and importance of doing all in our power to assist in abating the evils caused by the existence of liquor stores, saloons and so-called Raines' Law hotels which are of a disorderly character:

Hereby agree among ourselves that we will continue our coöperation with the Committee of Fourteen in their work of abolishing all disorderly liquor stores and saloons.

Our agreement is based upon the understanding that when the Committee appointed by the President of the Board of Trade for the purpose of investigating all places reported to us as disorderly by the Committee of Fourteen, has, after such investigation, decided that a place is disorderly, we agree that we will at once secure the discontinuance of all disorderly practices in such place, or, failing in this, that we will at once withdraw all financial support, discontinue the supply of beer and bring about, so far as we can, the closing up of such place.

Mr. Sheridan, for the bonding companies, then presented a list of places not to be bonded, and it was agreed that brewers, surety companies and Committee of Fourteen should act in concert with regard to the bonding, financing and supplying of places where liquor was sold, the brewers not to finance or supply a place condemned by the Fourteen and the surety companies, and vice versa. In one form or another this agreement has continued to the present day, with increasing coöperation, until at the present moment the Committee's judgment with regard either to the bonding or to the support of the brewer is practically accepted as final. For some time, however, we found difficulty with the bonds; some outside company would come in and bond objectionable places and that in its turn would cause trouble with the brewers or liquor dealers. Finally we entered into a fight with a Scranton company, which led to the unexpected discovery that these outside companies were really acting as the agents of the president of one of the large companies in New York, whom we had supposed to be a very pillar of strength in our struggle after righteousness. The nigger found, the trouble ceased, and coöperation on the part of the surety companies became almost perfect.

To secure the coöperation of owners and agents of real estate was by no means so easy, partly because of the difficulty of furnishing absolute proof of criminal knowledge, and partly owing to the fact that not a few of the landlords are absentees. Here also there were no such organizations to work through as in the case of the brewers and bonding companies. One thing was clear from the outset, that the penalty of revocation of the license ought to affect the property, and later we succeeded in having the law so far amended as to cause a revocation of license for disorder to close the place entirely for a year. We also collaborated later in securing legislation limiting the number of places in which liquor might be sold to one to each seven hundred and fifty,[4] which ultimately affected the property. During these years the domicile of prostitution was changing rapidly, with the methods of living in New York. Separate houses of prostitution were giving place to apartments with telephone, the so-called "call-houses." We found on the statute books drastic legislation against prostitution in tenements, putting $1000 penalty on the place, but unenforceable, owing largely to the attitude of the courts. We finally put on the statute books legislation which made the existence of repeated cases of prostitution in a building prima facie evidence against the owner, as also the Herrick Injunction and Abatement Law, framed after models successfully used in other localities, but which we have not yet succeeded in inducing the district attorneys to attempt to use in New York. To some extent, however, we have in the latter years made real estate more conscious of its responsibilities and more liable before the law.

The principal work of the Committee was for some time the following up by the Secretary, and such investigators as he might employ, of the Raines Law hotels and the saloons which had been Raines Law hotels, to determine whether they were obeying

[4] At the time the actual ratio was 1 to 450. The effect of that was minimized by the characteristic enforcement by the Excise Commissioner, who treated all licenses revoked as still in existence and capable of being reissued. This, and the following named legislation, was chronologically obtained in our third, not second period, but is mentioned here for completeness' sake.

the law, and how they should be brought to do so. That led to the discovery of an amazing amount of overlapping and stupidity. Police, Courts, Excise Department, Health, Corrections, District Attorney, Tenement House Department, and Corporation Counsel were all at cross purposes. One magistrate fined a girl, another put the same girl on probation as a young offender, another sent her to the Island, and after twelve or thirteen more appearances and convictions in the court she would be discharged as a new case, or again put on probation. No magistrate knew what any other had done. In the Court of Special Sessions delays were continually granted in such a manner as to enable a criminal defendant to evade justice.[5] The rules of evidence seemed to be regarded as a game to be played by skillful players for their own amusement and profit, not as a means of determining the facts for the purpose of administering even-handed justice. Our concern was especially with the lower courts, and our experience of these led us to propose an investigation, for which proposition we were able to obtain a hearing through the fact that Judge, now Governor Whitman, was presiding magistrate. This investigation, conducted in 1907–08, of the lower courts to which belong complaints against the women of the street, and the disposition of disorderly house cases in general, revealed such a preposterous condition of affairs that, with the support of the judges themselves, it became the basis of the legislation which created the Inferior Courts Commission which overhauled and reformed the courts of New York in 1910, enlarging the Court of Special Sessions to ensure prompter trials, coördinating and unifying the Magistrates' Courts to cure the confusion and lack of system noted above, adding the Night Court for Women, especially to obviate the bond abuse, and the system of identification by fingerprints, among other things. Incidentally, this led also to the reform and development of

[5] So on one occasion the Secretary reports, "The defendant's request for a speedy trial was granted in those cases which he elected; these were the weaker cases and easily beaten—the need for a speedy trial of all cases was urged—the defendant secured trial in two weeks, when he requested, the people in fourteen weeks; or again the defendant, under bond, disappears to avoid trial and secure delay, reappearing when it is convenient to his case, but the bond is not forfeited."

probation, the creation of Miss Miner's Probation Society, and to the founding of Waverly House. A sub-committee of the Fourteen, called the Research Committee, next undertook in 1908, the work of studying and classifying "all the laws of New York relating to immorality of women with a view to ascertaining whether the laws now in existence, if properly enforced, are adequate, or whether additional legislation is needed, and if so, of what nature; with the further purpose, so far as the question is one of enforcement, of tracing directly to the several departments at fault the responsibility of non-enforcement." This report, published in 1910 under the title *The Social Evil in New York City; A Study of Law Enforcement by the Research Committee of the Committee of Fourteen*, was the parent of the so-called vice reports of Chicago and other cities, all, or almost all of which were made by Mr. Kneeland, one of the principal investigators employed by our Research Committee. The report itself was of the greatest importance. As a result of the most painstaking investigation of the subject it reached the conclusion that the social evil in New York City is an elaborate system fostered by business interests, a commercialized immorality, not immorality resulting from emotional demand, and that consequently what must be fought is not vice per se, but vice as a gainful business. On the legal side the report showed not a lack of law, but a failure to enforce the laws in existence, something which came as a painful surprise to the Committee, which had begun the investigation with the expectation of finding a fairly good enforcement of existing laws. The Committee says:—

It is entirely possible for public opinion to demand and secure the appointment of officials who shall be free from political and financial influence, and who shall administer the laws with intelligence and even-handed justice. It is entirely possible directly to rid our streets and tenements of the social evil; possible to enforce its withdrawal from the conspicuous place which it occupies in the community today; possible to surround with wholesome influences the places to which young people go for innocent amusement, and to separate them from association with the liquor traffic and the social evil; possible to protect

our children, by enforcement of the child labor, education, and similar laws, from daily exposure to the moral contamination to which many of them are subjected; possible to hunt to their undoing the unscrupulous or indifferent business interests which profit from the exploitation of vice, unwitting that their cupidity is a baser sin than the lust on which it profits.

In the meantime the Committee of Fourteen had been busy in attempting to secure the enforcement of existing laws. As already stated, from the outset the State Commissioner of Excise had violated the Liquor Tax Law. As interpreted by the highest court of the state that law was a police law. He had enforced it as a revenue measure, and used his power to bring actions to revoke licenses, not so as to compel licensees to conduct their resorts in a decent and orderly manner, but so as to levy on them an extra tax for violating the law. It was his predecessor's interpretation of the law in practice as a revenue measure which had brought into being the Raines Law hotels, and his failure to enforce the law was the principal obstacle with which he had to contend. Unable to influence him, we asked of Governor Hughes in the autumn of 1907 a hearing with the Commissioner and ourselves before him. The Commissioner at once announced that he accepted our interpretation of the law and his obligation of enforcement, and was prepared to meet our wishes without such a hearing. In view of our experience, however, we insisted on the hearing. The Governor of course endorsed our interpretation of the law as the only possible one, and instructed the Commissioner that the proper method of enforcement was, as we proposed, by continual action against the places reported as disorderly by the Commissioner of Police, whose coöperation in furnishing lists of such places we had secured. This procured some improvement in the Commissioner's attitude toward policing the traffic, but not a really honest and intelligent administration of the law as a police measure. A second appeal to the Governor two years later produced no greater results; and to this day the law is administered in fact as a revenue measure, the object being to issue as many licenses as possible at the highest price the traffic will bear, using the power of the state in the main to discourage

liquor selling without a license, and leaving to the city the impossible burden, under the law, of policing the licensed resorts.

But if we could not stir the Commissioner of Excise to what we regarded as efficient fulfillment of his duties, we did obtain a considerable increase of efficiency so far as New York City was concerned. We entered moreover into fairly close relations with the Department, which increased as time went on, and which were effective on the legislative as well as the administrative side. Conferences with the Commissioner in Albany and visits from him in New York became frequent, and it may be said that no excise legislation has been considered in Albany since that time without consultation at least with the Committee of Fourteen.

Of the effectiveness of one piece of legislation secured by us in 1908 Commissioner Bingham wrote as follows:—

> About the lower Bowery and Chatham Square there was one group of dives which had become historical institutions of the city. They had run so long without molestation that they were practically considered as vested interests of the section. They were, of course, "hangouts" for prostitutes and cadets as well, the Italian cadet being very strong in this section. Last winter we discovered that we could—under a state law passed in the spring of 1908—prosecute these places as disorderly resorts, not in the criminal courts where they could use their familiar tactics, but in the civil courts, and take away the privilege of selling liquors in the same building for an entire year.

It was on the urgency of the Committee of Fourteen that the Excise Commissioner decided to reverse the practice of the Department with regard to the definition of a hotel. The Raines Law provided that a hotel must have at least ten bedrooms, and must comply with the local statutes and ordinances regulating hotels. Under the statutes and ordinances of the city of New York a hotel must have more than fifteen bedrooms; but the Commissioner of Excise had from the outset ignored these local provisions and issued certificates to any place certifying to ten bedrooms. In 1909, of the seven hundred and fifty "hotels" in Manhattan and the Bronx, for we had by that time extended our activities beyond Manhattan to the Bronx, five

hundred had less than sixteen rooms, and would be put out of business as hotels if the law, as we understood its terms, were enforced. The places affected appealed to the courts, and in spite of what appear to be the plain terms of the law the Excise Commissioner's interpretation was declared illegal,—a judicial method, apparently, of protecting "property rights" called into being by the Department's former practice.

In the same year, 1909, we had our most picturesque and spectacular legislative battle. The Committee of Fifteen had suggested "the removal of the restriction upon the selling of alcoholic beverages on Sunday, so as to abolish the incentive to making hotels out of saloons." We reached unanimously, as the result of our experience, the conclusion that this was a logical and inevitable step if we would abolish the most flagrant abuses of the liquor traffic in New York City, and especially the hotel evil with its concomitant social vice. Liquor was sold everywhere in New York on Sunday. Neither the state, through its Excise Commissioner, nor the city, through its police and courts, tried to prevent it, but each of them from time to time used the Sunday provision of the law as a means of harrying objectionable places, playing favorites and levying blackmail. No saloon keeper, practically, could conduct a saloon without Sunday sales; but his Sunday business must be conducted more or less under cover. This, of course, degraded the traffic in liquor, and helped to foist upon it the hotel camouflage, the vile back room, gambling, prostitution and other criminal partners. No government, state or city, dared actually to enforce the law, because of the belief that the vast majority of the citizens of New York were against it; no state administration dared to advocate the repeal or amendment of the law because of the belief that the country and small towns and the religious leaders everywhere were fanatically against any change in the Sunday provision. We introduced a bill, the Brough Bill, so-called, from its sponsor Senator, now Judge Brough, which we were sure could and would be enforced, which had the support of social workers, practically without exception, of the great city organizations, of the political leaders of both parties in the city, of the entire secular and the

strongest part of the religious press of the city, of a fair share of the religious leaders, and evidently of the city as a whole. This law provided for the abolition of the objectionable back-rooms, raised the minimum requirement for hotels in New York to twenty-five bedrooms, thus abolishing fake hotels, penalized the place for one year for more than one violation of the law of any sort, provided for a limitation of licenses to one in one thousand, furnished the Excise Commissioner with a reasonable number of inspectors to police the traffic, instead of the present ridiculously and intentionally inadequate force, and permitted the sale of liquor in some portion of a licensed building exposed to public view on Sunday after one o'clock on the securing of a special license. It was a far-reaching measure, and embodied in it all our experience of what was practical and expedient. We, the police and city authorities, the Excise Commissioner, and the persons of practical experience in general, felt confident that such a law could and would have been enforced in New York City. Personally, I may now say, the State Commissioner of Excise, like the Police Commissioner and the District Attorney of New York, was in favor of the bill, but his official approval depended upon Senator John Raines. By his arrangement and at his request, I went with him to John Raines and tried to win the latter over. Partly, doubtless, he was influenced by political considerations, but in the main it was, I believe, because of certain religious ideas that Raines finally decided to oppose the bill, which decision put the Commissioner of Excise also officially in opposition. As it developed, the fight was practically one between the City of New York, asking for the right to determine what it believed to be its own affairs according to its own needs and possibilities, and "up-the-state," determined that New York should be governed by what it believed to be the immutable law of God. It was a close, hard struggle, and we lost in Committee by a vote of five to four.

One of our most valuable accomplishments was to secure the coöperation with one another of the local authorities, at least as represented by the police, and the state authorities as represented by the Commissioner of Excise. How this worked, and the

surprise of it, are both shown by a headline in the New York papers under date of June 27, 1909: *Deathblow to Many Dives. Police are working with State Excise Board. Cases don't get to the Magistrates at all—A dozen places felt the shock on Friday and many a Manhattan Dive has got a "Blue Pill."* This was when Acting-Mayor Mitchel started in to clean up Coney Island, and our special friend, the late Inspector John Russell, was given a free hand.

With this report of its Research Committee, at the beginning of 1910, the Committee of Fourteen felt that its specific work was done. Technically there were no more Raines Law hotels in Manhattan and the Bronx,[6] but this did not mean that commercialized vice was abolished. In its printed report of that year it said:—

It has merely changed its form, and the methods of its expression. The backroom of the saloon has become the distributing agency. The women ply their trade there and, while residing in tenement houses and apartments, make these backrooms their headquarters.

The bill introduced by the Committee last year, which failed to become a law, would have done much toward restraining or abolishing this evil by giving a preference to saloons without the backroom attachment. Other evil conditions also the Committee of Fourteen has discovered in its investigations.

To deal with these evils and to clean up the aftermath of the Raines Law hotels, the Committee needs a much larger financial support from the community. If it does not continue its work, there will be no agency as nearly dealing with the subject as a whole. In reality, there should be created a new Committee to deal with the whole question of commercialized sexual vice on a broad scale; a committee which would secure the coöperation of all existing organizations; a committee which would command further the confidence of officials and business community alike; a committee having its headquarters in New York, but of national scope. Can such a Committee be created?

[6] In 1904 there were 1405 licensed hotels in those two boroughs of which 1205 were Raines Law hotels. At the close of 1910 there were 685 hotels, of which 250 were legitimate commercial hotels, 80 per cent of the remainder for men only, and 87 Raines Law hotels, including disorderly or assignation hotels, regardless of the number of rooms.

It was in 1910, after the Research Committee had completed, but before it had published its report, that the Committee of Fourteen authorized that committee to call a meeting of persons likely to be interested to consider the findings contained in its report and the advisability of action based on those findings. The meeting so convened recommended that a central committee be organized to deal with the whole question of commercialized vice, to endeavor to coördinate the various organizations already dealing with special phases of the subject, to give immediate attention to the lessening of the evil, to consider amendments to the laws and law enforcement, "but primarily to study causes and devise wise, comprehensive and reasonable ways of controlling and bettering the whole vice situation," and I, Drs. Devine and Adler, Messrs. G. F. Peabody and Frank Moss and Mrs. Glenn and Mrs. Baldwin, were "appointed to select a leader and assist him in the formation of such a committee."

In the meantime the Committee of Fourteen continued its work, extending it by an auxiliary committee to Brooklyn. The Committee also took up the problem of colored resorts, the colored people feeling that they were unjustly treated, and secured the coöperation in this problem of some representative colored citizens.

About this time, under the chairmanship first of Mr. McGuire and then of Mr. Whitin, with Mr. Walter G. Hooke as secretary, the Committee began to gain new influence with the courts, resulting in some criminal convictions. Then came the White Slave Grand Jury, with Mr. John D. Rockefeller, Jr., as chairman, and the indictment and conviction of the clerks of five hotels, who were punished by criminal sentences, the Secretary of the Committee playing an active part in securing witnesses and evidence. To his chagrin, he was "reproached and blamed for not getting the real proprietors instead of mere employees," and Judge Mulqueen also called on the police and District Attorney to apprehend the real proprietors. By coöperation of the police and the Secretary of the Committee, cases were in consequence worked up against two men, proprietors of a chain of resorts, "Jumbo" Buchler and "Archie" Hedden, and the latter of whom,

who had fled into hiding in New Jersey, was discovered and arrested, and after a hard fight extradited from that state. The cases were perfect and conviction assured, but by some slip-up between the District Attorney's office and overlapping courts these two notorious scoundrels and principals were let off with less punishment than their tools, the hotel clerks. This unfortunate outcome aroused great public indignation and because of that became the means of some improvement in the system, which more than individuals seemed to the Committee, as in its former court investigations, the cause of this patent miscarriage of justice. A private conference was called of representatives of the Supreme Court, General and Special Sessions, Magistrates Courts, District Attorney, Police, and Society for the Prevention of Crime, with the understanding that the intention was not to fix blame on anyone, but to find a way to prevent similar accidents in the future. The result was the adoption by all of a constructive program of dealing with such cases, which proved very helpful later.

In the meantime the committee appointed to find a new leader of national repute, if possible, and to help him to form a committee to take up the larger problems outlined by the Research Committee had labored in vain. Some were too busy with other important problems, others were repelled by the nature or the difficulties of this problem. The Rockefeller Grand Jury had recommended the appointment of an official committee by the Mayor, but the Mayor declined to assume the responsibility of appointing such a committee, believing that the work could be better done by unofficial agencies. Under the circumstances the Committee of Fourteen felt itself morally bound to continue and extend the work begun. As in the case of the Committee of Fifteen, starting with no preconceived theories but banded together for a special purpose, some originally believing theoretically in segregation or reglementation and "the necessary evil," all the members of the Committee of Fourteen, comprising men of large affairs and high political experience, had come to a unity of belief that prostitution was a commercialized vice, fostered and promoted for profit, whose evils could not be minimized or cured but were rather increased by segregation or reglementation

or any other form of compromise or recognition as a necessary evil, and which must be rendered dangerous and unprofitable by the persistent suppression of its outward manifestations and allurements of every sort.

With unity of plan and purpose, therefore, the Committee resolved to take up the new and larger work of the suppression of commercialized vice in the city of New York, a guarantee fund of $10,000 for five years, to be added to the former income by smaller subscribers, was raised, the Committee bound itself to stand together for that period, the former Chairman and Secretary resumed their old positions, the title and incorporation were changed, and in February, 1912, the Committee entered upon the third stage of its existence as "The Committee of Fourteen for the Suppression of Commercialized Vice in the City of New York," with practically the program formulated by the Research Committee.

In order to cover the larger field, the Committee enlarged its number by taking in representative men and women engaged in cognate works, thus crossing directors, as it were, with the Probation Society, the Dance Halls Committee, the National and New York Societies of Social and Moral Prophylaxis, the Bureau of Social Hygiene, the Courts Committee, the Church Mission of Help, the Charity Organization, St. Vincent de Paul, and settlements and other agencies, including also individuals engaged in business which could or should advise us wisely in our work,—real estate, venereal specialists, charities and corrections, and the like. The Fourteen constituted an inner, executive committee, the larger body being kept in touch by the annual and occasional meetings of the whole, personal conferences, and above all by the issue of frequent confidential bulletins informing each individual member of the progress of the work. The success of the Committee in the past had been due chiefly to the devotion and zeal of its Secretary, but also to the large amount of personal work done by the members of the Committee, without which the best secretary could not have wielded so great an influence nor achieved such results. The effort was now to combine this of element a reasonably small, personally active committee with

a larger official body of counselors, who would also secure our coöperation with kindred organizations and interests.

The Committee now employed two secretaries, of whom Mr. Hooke, the executive secretary, was to follow up court and police cases, investigate personally or by agent doubtful and suspected places and those on probation, follow technical details of our coöperation with brewers and bonding companies, and keep in touch with the Excise officials in New York and Albany. This latter function led to his becoming during part of the year our legislative agent at Albany, for even where we ourselves had no legislation of any sort to present, it was necessary to watch and guard against hostile legislation and to follow carefully all legislation affecting excise, tenements, amusements, police and much more which might contain or cover provisions seriously affecting our work. Ultimately we became the recognized agent in Albany of all such legislation, societies and organizations, on the one side, seeking our help in the introduction or passage of their necessary legislation, and, on the other side, legislators and officials utilizing our advice and counsel with regard to the character of legislation introduced. It was, however, legislation affecting excise which peculiarly concerned us, for more and more it became apparent that, owing to the close relation between them which had been established, commercialized vice could not be suppressed without a proper control of the liquor traffic. Why this is so is perhaps best set forth by the following memorandum presented in a conference to the new Commissioner of Excise, Farley, a Democrat appointed by a Democratic administration, urging upon him the same policy of enforcement of the law which we had urged upon his Republican predecessor, Clement, before and through Governor Hughes:—

The undersigned, on behalf of the Committee of Fourteen, present to you the following memorandum with regard to the administration of the Excise Law.

1. We submit the enclosed brief, as convincing evidence of our first premise that the Liquor Tax Law of this state is primarily a police measure; that to administer that law as a revenue measure and to fail to exercise the police powers of that law is a breach of the law.

2. We submit that you are now administering that law primarily for revenue; that this is true in general of the state and specifically of the city of New York. Your office here in New York is nothing but a tax collecting office. Your Deputy Commissioner is here merely to issue licenses and to receive money therefor, not to enforce the law by so policing the traffic as to secure obedience to the law by the licensees. This is an expression of the policy pursued by the Excise Commissioner, so far certainly as this city of New York is concerned.

3. In thus violating the law you are licensing vice of the most degrading character in the city of New York. It is fair to say that you, as Commissioner, do not stand alone in this. It has been the policy of the Excise Commissioners from the outset. That the infamous Raines Law hotels, houses of assignation and prostitution masquerading under the name of hotels, created by the liquor licenses issued by the State of New York, sprang up and flourished in this community was due to this policy of the former Excise Commissioners. They regarded it as their first duty to raise the largest possible revenue for the state by means of this law. Not content with the money actually received from licenses, they added to this penalties and forfeitures amounting annually to several hundred thousand dollars, collecting them in such a way as not to suppress vicious places, but to form an extra tax on those vicious places. For example: The Excise Department licensed, let us say, A, B, C, D, and E. All of these places ran in violation of the law as houses of assignation or prostitution, having also a hotel permit. In addition to this all of these violated various other provisions of the law, selling out of hours, on Sunday, etc. These facts being known to the Commissioner, either through complaints of citizens or reports of his inspectors, he institutes proceedings against A for revocation of license, on the ground of some violation, the easiest and most practicable to be obtained. He secures the revocation of the license and the forfeiture of the bond. A new license is taken out for the same place and it proceeds to run in the same manner. Now, in all common sense, if it were the intent of the Department to prevent vicious conditions, it would observe this place and, ascertaining that it was again violating the law, would rapidly follow up the former proceedings by new suits for revocation and forfeiture, until it had either put the place out of business or compelled it to conform to the law. Such procedure systematically conducted would have controlled the situation and prevented the springing up of the Raines Law hotels or the other vicious places

which now abound in this city. What the Commissioner actually did was, after once prosecuting A, to leave it untouched for a series of years, in the meantime prosecuting B, C, D, E, etc., each one perhaps once in a series of years. By this means an extra legal tax was levied on vice, the treasury of the State of New York being enriched precisely to that extent, a practice most detestable and odious to every right-thinking man. Your Department is pursuing practically the same course today. It is vastly concerned about putting out of business the places which have no licenses. It is, relatively speaking, active in the forfeiture of bonds. Both of these things belong primarily to the revenue side, not the police side, of the law. So far as the latter is concerned, until within the last few days, we regret to say that in this city of New York your Department has shown an amazing disregard of the law, a supineness which has allowed disreputable resorts to spring up and to flourish.

4. The present scandalous situation, revealed through the murder of the gambler Rosenthal, is in no small degree due to the action of your Department. Various men whose names have been mentioned in connection with that episode, such as Sharkey, at whose saloon the gray automobile was to take up its crew, Sam Paul, who has, for the moment, been discharged, but the complicity of whose gang in the whole matter has become notorious, Bridgey Webber and others, are proprietors of saloons or hotels having a license from you, notorious breakers of the law. They have been, most of them, concerned with prostitution, as well as with gambling, combining these things with the sale of liquor, permitted under the licenses issued by you. The supineness of your Department has permitted and fostered this condition. You have a police power vastly greater, so far as the Excise matter is concerned, than that possessed by the police of this city. Police graft so far as gambling houses or places of prostitution connected with the sale of liquor is concerned, would be impossible if your Department would do its part. The police could not protect these men if your Department did its duty. It is the failure of your Department to police those places which renders it possible for the police to collect graft for protection by them.

5. A proper enforcement of the law by the Excise Department would put an absolute end to police graft.

6. The Excise Department, by the great power placed in its hands, is best able to enforce the law. The Commissioner of Excise can make

use of proceedings which private citizens cannot employ and which the police of the city cannot employ, and the Commissioner of Excise is able to call for assistance from the municipal and county officers, securing their full efficiency in addition to the force of his own Department. The Excise Law can, in our opinion, be best enforced by its civil penalties. A license granted should be regarded as a contract made with the person to whom it is issued; and it is the duty of the Excise Department, having issued that license to enforce its terms as those of a contract with the licensee. Prompt revocation of licenses and prosecution of bonds for failure to comply with the terms and conditions on which the license is granted, is, in our judgment, the most effective method of securing compliance with the law and preventing especially the growth of vicious and dissolute customs under the name of saloons and hotels.

7. To enforce the police provisions of this law, the Excise Department it is true must be better equipped. It needs more inspectors. Sixty inspectors for the state is quite insufficient. In the city of New York alone we need at least half that number, probably more. Enforcement by fits and starts is practically useless. The law must be enforced steadily. Those who take out licenses must understand that the Department is prepared to ascertain whether the conditions of the licenses are complied with and to take steps to revoke these licenses if not complied with the whole year through. We presented this matter to your predecessor, who obstinately opposed the increase of inspectors. We urge upon you an appeal to the Legislature at its approaching session, to make such an appropriation to the Department as will render it possible to comply with the provisions of the law, as interpreted by the higher courts of this state, to enforce it as a police measure by an increased force of inspectors and a larger expenditure in the legal department, certainly in this city. We should be glad to coöperate with you and to secure th coöperation of others in urging this upon the Legislature, and we should be glad to go before the Governor with your approval, to present this to him and to urge him to embody the demand in his message to the Legislature. The penalties and forfeitures constitute now a sum much more than sufficient to provide for this additional force to render your Department efficient. Those penalties and forfeitures certainly should be first applied to this purpose and not regarded primarily as a regular revenue of the state. We also urge upon you to choose deputy commissioners in this and similar large

cities competent to deal with the police side of the law, and to give them, as your deputies, instruction, authority and the means to act in their respective places, not merely to collect revenue but to enforce the terms and provisions of the law.

It should be said that during the entire period of the existence of our Committee New York City had been governed by an unusual series of mayors, of high character, who had as a rule appointed to important positions of administration and especially to those positions which particularly concerned the question of prostitution, such as Magistrates and Commissioners of Police and Health, Tenement and Corrections, men of high character, often experts, who administered their offices on a high plane of efficiency and integrity, and not merely as political jobs. Similarly, the District Attorneys had been, on the whole, men of great force and ability. Consequently, the standard of administration in the city had been continually rising. On the other hand, the various state administrations during that period had administered the Excise Department for politics, each appointment being a political job, and no appointee being a man technically equipped for the place. As a consequence the standard of liquor law enforcement, never high, had tended steadily to deteriorate during that time.

The General Secretary, having charge of the whole work, was to devote himself especially to the extension of the Committee's activities to cover the broader field of commercialized vice. As time went on we found that this involved more and more ramifications, the treatment of those suffering from venereal diseases in our penal and charitable institutions, and the admission of those diseased into the country,[7] the question of corrective and reformatory measures and institutions, the control of public amusements, including especially dance halls, theatres, and movies, the use of telephones, massage parlors, and to our surprise, even of public hacks. It forced the investigation of excursion boats and resorts, it led to a careful investigation of department

[7] In the report of the Chairman for 1915–16 is contained the following statement and proposition (pp. 22–24):—

"Venereal disease, tuberculosis, yellow fever, cholera, typhoid, smallpox,

stores, and the infamous cabarets, one of the most sorry mistakes of Mayor Mitchel's police administration. To get at the persons behind prostitution, the commercializers, we sought to find means of reaching and punishing the men, proprietors and pimps, whose agents the prostitutes were, and the owners of property and the furnished room dealers who stood behind or in with both. This effort to reach those behind involved legislation to change and improve court procedure, the tenement house and other laws, as well as education of the courts, grand juries and the public, to rid them of false ideas of "necessary evils," reglementation and the like, and make them understand the actual facts. To accomplish this we were brought in contact with many

and the like have been so far brought under control because the measures of quarantine, prevention and public supervision have met with popular support partly through education, the circulation of information regarding the cause and nature of those diseases, the method of their transmission and the like. People have been led to change their habits of life, to live in cleanliness, instead of filth, to admit fresh air and sunshine instead of excluding it, above all to support and coöperate with the authorities in enforcing cleanliness, aeration and good living. But also the legislation secured and the laws and ordinances enforced to control and abolish those diseases, have themselves been most present agencies in educating the public and creating a continually stronger public opinion to support the authorities in their activities. The very demands made for legislation, for further and more drastic action by health boards, for fuller control of the victims and the disseminators of those diseases, educate the public and especially that part of it which most needs education and which can be educated only by acts. Our Committee is dealing with the cause of some of the most dangerous and destructive of all infectious diseases. Commercialized vice is the originator and disseminator of the venereal diseases. To control the one is to control the other, and without control of the one the other cannot be controlled. Nothing could be more effective toward the elimination of commercialized vice than a rational and commonsense treatment of venereal diseases, such as we now apply to smallpox, cholera, yellow fever, tuberculosis, and the like. If in our prisons we found a case of one of these contagious diseases, not as a punitive, but as a health measure, to protect the community, we should at once isolate the patient, put him under treatment and detain or control and instruct and inspect him until he ceases to be a menace to the community by disseminating the disease to others. No college or school is allowed to harbor the victims of such infectious diseases. The government does not admit them as immigrants. State and city have provided special facilities for their treatment. Why, in common sense, should we not treat the still more dangerous and destructive venereal diseases in the same way? Why should not the nation refuse to admit immigrants who, because of infection by those diseases, may become a menace or a burden to the community? Why

organizations, some old, others new, the result of that aroused interest of the public in the beginning of which we had been born. Our effort was to avoid overlapping; where others could better do the work, urging it upon their notice and coöperating with them; seeking their help where we seemed best equipped to lead. This policy led to very effective coöperation at times with local organizations, like the City Club, the Independent Club, the Gramercy Park, Chelsea, Clinton and Kehillah Associations, some of which we helped to create; and at others to conference with and exchange of information with the vice organizations which were springing up in other cities all over the country, and some of which we helped to organize.

should not all universities, colleges and schools test the candidates for admission for those diseases as for others, as is now done in some of our more progressive institutions? Above all, why should not our corrective institutions subject all their inmates to proper tests, and as a health measure isolate and detain or control infected cases so long and in such manner as may be necessary to protect the public from infection through them? The immediate effect of such action would be, by arousing public attention, and informing public opinion in regard to the physical danger of commercialized vice, to create a mighty agency for its suppression.

Something was done in this direction in the correctional institutions of this city in the commissionership of Miss Davis. Our Health Board also has been moving in this direction; but to exert effectively its powers it must have public opinion behind it. This we must help to create.

Other organizations: There are in this city, beside our own Committee, five associations organized partly or altogether to deal with prostitution—the Society for the Suppression of Vice, the Society for the Prevention of Crime, the New York Social Hygiene Society, the American Social Hygiene Association, and the Bureau of Social Hygiene. The two former, like our own Committee, deal with law enforcement, the New York Social Hygiene Society with education and disease, the National Association with both public health, education and law enforcement, the Bureau with research and publication. Our Committee has worked with some of these organizations, and is closely affiliated by membership and otherwise with all. It is at present engaged in the attempt to associate them in closer compact and contact in order to prevent duplication and ensure in general combined action. If these organizations can unite on a common program for the treatment of venereal diseases by public officials in the city and port of New York, they are in a position to ensure action and to create the public opinion necessary to support it; and nothing in my judgment could do more toward educating the community to that physical and moral cleanliness requisite to the suppression of commercialized vice than precisely such common sense treatment of venereal diseases by the legally constituted authorities."

It is not easy to write the history of this phase of the Committee's existence. Commercialized vice was continually exposing or expressing itself in new forms, and we were continually obliged to invent new methods and learn new ways. There are, however, no specially salient features in the record of that work. The clearing and blasting had been done, the plans adopted, the foundations laid, and we were simply laying stone on stone, brick on brick. The progress was steady and manifest; but the greater the work accomplished, the greater seemed to be the opportunity and the need. Accordingly when at the close of the five year period agreed upon, the Chairman felt obliged to lay down his office, the Committee determined to continue its work, practically along the same lines, but on a larger scale, increasing for that purpose the guarantee fund from $10,000 to $15,000. During the first stage of the Committee's work Mr. Wm. Jay Schieffelin was Treasurer. Upon his resigning to accept the leadership of the Citizens Union, Mr. Francis Louis Slade undertook the responsibility of the treasurership. To Mr. Slade the Committee is indebted for raising in very large part the necessary funds for both the second and third periods, and especially, the guarantee fund. While the Committee has never felt that it had sufficient funds to accomplish all the work that was possible in its field, the Treasurer has so carefully supervised the budget and the disbursements that the Committee has never been hampered in doing an essential piece of work by lack of material means.

With the election of Professor William Adams Brown as Chairman on October 24, 1916, commences the fourth period of the Committee's activities. With the breaking out of the war and the gathering of soldiers and sailors in large numbers at camps or stations, new problems were presented and a new and great moral responsibility forced upon the Committee. It at once offered its services, to the National Government and was assigned under the War Department Commission on Training Camp Activities the investigation and cleaning up of the camps in NewYork State. This accomplished, there was assigned to it as its special province the Metropolitan District, New York City, and the camps and

stations in practical touch with the same, no small job to be added to its ordinary peace activities. The fourth period of the Committee's existence has, therefore, assumed a character quite different from the preceding periods, and one whose results promise to be both striking and far-reaching, but of which it is as yet too early to attempt to write even the introductory chapter.

THE COMMITTEE OF FOURTEEN IN NEW YORK CITY

ANNUAL REPORT 1917-1918

Organized, 1905
Incorporated, 1907
Re-organized, 1912

27 East 22nd Street
New York City

DOUGLAS C. McMURTRIE
The ARBOR PRESS

THE COMMITTEE, 1917–1918

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Rev. Robert Bachman, jr.
Mrs. Ruth Standish Baldwin
Dr. Lee W. Beattie
Hon. William S. Bennet
Dr. William Adams Brown
Prof. Francis M. Burdick
Mr. Edmond J. Butler
Mr. William Hamlin Childs
Rev. William A. Courtney, D.D.
Mrs. Robert L. Dickinson
Dr. Bernard Drachman
Mrs. John M. Glenn
Mrs. Barclay Hazard
Miss Caroline Linherr
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Mr. Edward J. McGuire
Mr. Alfred E. Marling
Dr. H. Pereira Mendes
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Miss Maude E. Miner
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James Pedersen, M.D.
Dr. John P. Peters
Mrs. Frederic B. Pratt
Mr. George Haven Putnam
Mr. James B. Reynolds
Mrs. V. G. Simkhovitch
Mr. Francis Louis Slade
Mr. Percy S. Straus
Eugene L. Swan, M.D.
Mr. Lawrence Veiller
Mr. Frederick H. Whitin

For a statement of other civic activities of the members of the Committee see page 68

1917–1918

OFFICERS OF THE COMMITTEE

Honorary Chairman . . . . . Dr. John P. Peters
Chairman . . . . . Dr. William Adams Brown
Vice-Chairman . . . . . Mr. Edward J. McGuire
Treasurer . . . . . Mr. Francis Louis Slade
Secretary . . . . . Mr. Frederick H. Whitin
Executive Secretary . . . . . Mr. Walter G.Hooke
Assistant Secretary . . . . . Mr. Peter J. Mallon

Directors

Dr. William Adams Brown
Chairman
Mr. George W. Alger
Dr. Lee W. Beattie
Hon. William S. Bennet
Mr. Edmond J. Butler
Mrs. Robert L. Dickinson
Mrs. John M. Glenn
Mr. Josiah O. Low
Mr. Edward J. McGuire
James Pedersen, M.D.
Dr. John P. Peters
Mrs. V. G. Simkhovitch
Mr. Francis Louis Slade
Mr. Percy S. Straus

Law Committee

Mr. Edward J. McGuire
Chairman
Mr. George W. Alger
Hon. William S. Bennet
Prof. Francis M. Burdick
Mr. Lawrence Veiller

Finance Committee

Mr. Francis Louis Slade
(*ex officio*)
Mr. Percy S. Straus
Mr. Josiah O. Low
Mr. George Haven Putnam

Brooklyn Committee

Mr. Josiah O. Low, *Chairman*
Mr. William Hamlin Childs
Mrs. Robert L. Dickinson
Mrs. Frederic B. Pratt
Eugene L. Swan, M.D.

For Officers and Directors for 1918–1919, see page 14

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I

REPORT OF THE CHAIRMAN

The outstanding fact in the Committee's work during the past year has been the war. This has affected us in two ways. In the first place, by concentrating our attention upon certain special and imminent needs; in the second place, by creating public interest in the whole group of questions with which we have been concerned. The co-operation with the War and Navy Departments' Commissions on Training Camp Activities begun last year was continued. The field of the Committee's work was widened not only in the geographical area covered, but in the range of interests included. To the City and State agencies, with which we have been co-operating, have been added the Federal courts. As the staff of the Commissions on Training Camp Activities was developed and its work enlarged, our own Committee was able to concentrate its work more largely in the Metropolitan District. When in May the Commission opened an office for its Law Enforcement Division in New York City, to which was assigned a special detail of twenty-five enlisted men, the Committee's staff rendered every possible assistance to those in charge. I desire here to express the Committee's hearty appreciation of the work of Captain Timothy N. Pfeiffer, who was in charge of the Commission's local office. His first efforts were directed to securing adequate sentences for those convicted of selling liquor to soldiers. Of the beneficial effect of the rule forbidding the sale of liquor to be consumed off the premises after 8 p. m., and of the workings of the new Health Law giving the Health Department definite authority to examine persons suspected of suffering from venereal disease, the

General Secretary has already reported through his Bulletins to members, and the substance of these will be summarized in the Annual Report.

Hotels Closed

The most important gain of the year, independently of the war, has been the improvement in hotel conditions. As the more flagrantly disorderly resorts have been closed, attention has more and more been concentrated upon those places to which men and women resort for immoral purposes. The difficulty in the way of closing these places by legal proceedings was explained at some length in the Committee's report for 1915 under the title "Obstacles to Law Enforcement." At the suggestion of the Police and the Committee, the brewers refused to supply beer to those hotels which were carried on the police records as suspected disorderly resorts, and which, as a result of the co-operation of the Brewers, Surety Companies, and the Committee, had already been forced to file a cash bond with the Excise Commissioner. The result has been a two-thirds reduction in the number of these hotels. The principal credit for this improvement is due to the police whose action ante-dated the request to the brewers which brought the final pressure to bear upon the situation. I have asked the General Secretary to report on this improvement in his Annual Report, in order that the experience of New York may be known to the authorities of other cities as a guide to similar action by them.

But it will not do to rest upon what has already been done. We must see to it that the gains made are permanent. The war has aroused public attention to the seriousness and extent of the diseases which result from immoral relations, and to the dangers and temptations to which men and women are subjected. We must capitalize this interest in the region where it is most difficult to secure adequate protection,

namely, those places which, while not strictly commercialized vice resorts, offer grave temptations to those who frequent them to drift into a life of vice. I understand that our Committee on Law and Legislation has been considering legislation which will vest in the proper authority power to control the manner in which all places renting rooms to transient couples shall be conducted. It is to be hoped that the difficulties of the days of readjustment will not prevent serious consideration of this proposed legislation, and that it may have the support of the Hotel Men's Association.

Administration Changes

Since my last report there has been a change in the City administration. Mayor Mitchel has been succeeded by Judge John F. Hylan and Commissioner Woods of the Police Department by Police Lieutenant Richard E. Enright. There have been corresponding changes in all the City departments with which the Committee's work brings it into contact. A change of administration always means a certain loss of momentum until the new executives and staff become familiar with their duties. Through his appointment of Lieutenant Enright, however, the Mayor has secured as Commissioner one to whom many of the duties of the new office have long been familiar. By this appointment the Mayor is testing the worth of the theory of which the new Commissioner was a leading advocate, that the head of the Police Department should be chosen from the uniformed force. Under Commissioner Waldo, James E. Dillon, who was an Inspector at the time of his appointment, was made Deputy Commissioner. This is, however, the first time in the city's history that the Commissioner himself has been appointed from the force.

In October of last year the Committee was asked to grant a leave of absence to its Executive Secretary, Mr. Walter

G. Hooke, that he might accept the secretaryship of the National Catholic War Council. During the early months of our co-operation with the War Department Commission, Mr. Hooke rendered extremely valuable service at Plattsburgh, Syracuse, and other places, and the Committee was loath to lose his services at this time of special need. In view of the larger opportunity for national service open to him through the Council, and his own conviction that it was his duty to accept the call, the Committee had no option but to grant the request. After considerable delay Mr. Peter J. Mallon was appointed Assistant Secretary. Mr. Mallon is a lawyer and was at the time of his appointment in charge of the Brooklyn office of the Legal Aid Society.

Late in the summer an invitation was extended to Mr. Whitin, our General Secretary, to accept a commission in the Sanitary Corps with service under the War Department Commission. But the sudden coming of the armistice, with the new responsibilities which it brings to the Committee in New York, has led Mr. Whitin, much to our relief, to feel that his duty is still with us.

Pressing Problems

As we look forward to the future we realize that we face a year of difficulty and responsibility. Not the least of our difficulties grows out of the uncertainty as to the conditions which we may encounter. After the stress and strain of war there is danger of relaxation of effort all along the line. The demonstration which followed the announcement of the signing of the armistice was an indication to all of what may take place unless we are alert and prepared. In the opinion of the celebrators, the law against the sale of liquor to men in uniform was valid only for the period of the war, and the time had come when the town might be wide open. What is true in the matter of liquor may well prove to be true of

other forms of vice. With the demobilization of the army there may come a rebound, and men who have refrained from immoral acts that they may be fit to fight may forget the lessons taught them. This must not be allowed to take place. The whole country now knows the dangers of venereal disease, and that prostitution is not a necessary evil. The war against these evils must not be relaxed, and tolerated vice and segregated districts must not be permitted.

In our effort to maintain the necessary standards New York City must take the lead. Here our difficulties will be most acute because New York is the place where our returning troops will be present in largest numbers. Men who embarked for France in the dead of night will march up Fifth Avenue in a series of peace parades, and in official language be given "the freedom of the City." What this will mean unless we are on our guard we know. Freedom must not be permitted to degenerate into license. City officials must be sustained in their duty and helped to harden their hearts against those who would profit at the expense of the men who have been spared the supreme sacrifice and who should be kept fit to live. Surely if our Committee had a part to play in preventing men from becoming unfit to fight, we have an equal responsibility to help men to be fit to live in the strenuous days which are to come, days when clear thinking is needed, thinking which is only possible to one who is clean in body and mind.

A special problem which will face us during the next year will grow out of the coming of national prohibition. With the passing of the saloon we must expect that new forms of evil will arise. Nature abhors a vacuum and unless substitutes are provided for the saloon we shall face a dangerous situation, all the more difficult to deal with because of its uncertainties. In preparing to meet this situation our Committee should find a wide field of usefulness.

Suggested Endeavors

In looking forward to the future there are three points which it seems to your Chairman might well receive the careful attention of the Committee:

In the first place, an investigation of conditions in the cabarets and dance-halls of the city and, in general, the whole question of the connection between amusement and vice. Here we have already made a beginning which needs only be followed up in order to lead to fruitful results.

In the second place, the extension of our co-operation with other agencies of reform, in order that the experience which has been gained by each in its own locality may be passed on to others, and public sentiment be instructed and informed for nationwide activity in dealing with nationwide evils. Here is room for co-operation in quarters which were not alert a year ago. Notably among our churches there has been increased attention given to the problems of vice and the responsibility of dealing with it.

In the third place, the whole question of providing substitutes for the evils which it is sought to repress needs more careful and thoroughgoing consideration than it has yet received. Mere negation is barren, and it will avail us little to banish the prostitute from the street unless we can open some healthful form of life, into which she can go, which will permanently remove her as a menace.

Your Chairman is glad to call the attention of the Committee to the organization and development of our latest ally, the Committee of Twenty of Utica, a body organized for the improvement of social conditions in that city, the enforcement of law and the maintenance of proper civic standards. It is a satisfaction to us to know that we had some part in assisting in the organization of this Committee. The original investigation of conditions in Utica was made for the Committee of Twenty by investigators from our own

Committee, and our secretaries have been able to advise and assist the Utica Committee in many ways.

Your Chairman is glad to report that despite the many war appeals, its contributors have loyally continued their support. We rely upon them to stand by us in the future as in the past, believing that they will share with us our conviction that there was never greater need for the Committee's work than in the months which lie immediately ahead.

WILLIAM ADAMS BROWN,
Chairman

December 4, 1918

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II

ANNUAL MEETING

December 4, 1918

The reports of the Chairman and Treasurer were received and directed to be published. A report from the Committee on Law and Legislation, recommending that certain amendments be sought at the coming session of the Legislature, was presented. The Secretaries submitted an outline of their annual report.

The Honorary Chairman reported on a request for further co-operation from the War Department's Commission on Training Camp Activities, and the Treasurer, on behalf of the Finance Committee, submitted a budget recommendation for the ensuing year, which was adopted. The officers elected for 1918–1919 were as follows:

Chairman, Mr. Percy S. Straus
Vice Chairman, Mr. Edward J. McGuire
Treasurer, Mr. Francis Louis Slade
Secretary, Mr. Frederick H. Whitin

The following Directors were elected for the ensuing year:

Mr. Percy S. Straus, *Chairman*
Mr. George W. Alger
Hon. William S. Bennet
Dr. William Adams Brown
Mr. Edmond J. Butler
Mrs. Robert L. Dickinson
Mrs. John M. Glenn
Mr. Josiah O. Low
Mr. Edward J. McGuire
Mrs. Henry Moskowitz
James Pedersen, M.D.
Dr. John P. Peters
Mr. Francis Louis Slade

III

PROGRAM OF LEGISLATION

REPORT OF COMMITTEE ON LAW AND LEGISLATION

While men cannot be made good by law, the statutes of a nation register the accepted standard of conduct for the average man, and the degree of their enforcement the actual standard of the community itself. The degree of enforcement, however, depends to a large extent upon the effectiveness of the provided machinery. Laws do not enforce themselves nor can good officials secure the enforcement of existing laws if handicapped by the improper use of the rules of evidence. These are the principles which have guided your committee in the preparation of this report.

It has been the established policy of the Committee of Fourteen to observe carefully the enforcement of existing laws for the suppression of commercialized vice. It is only after it has found that existing laws are insufficient to accomplish their purpose, that the Committee has suggested, promoted and secured new laws. It is believed that those secured by this method have played no small part in producing the present improved moral conditions of the Metropolis.

The General Secretary has submitted to the Committee on Law and Legislation a series of suggested amendments to existing laws and new laws to meet present and prospective conditions. It has seemed wise to your Committee to recommend that certain of these be perfected so that they may be made the subject of legislative bills for the action of the Legislature of 1919. As to certain of the submitted matters the Committee thinks that it would be wise for the Secre-

taries to confer further with others interested in them. The recommendations in detail are as follows:

1. *Vagrancy—Prostitution:* During the past year, there has been a large increase in the use of taxicabs for immoral purposes. This is probably due to the refusal of hotels generally to admit couples for immoral purposes, and the activitiy of the police against disreputable furnished room houses. The police have endeavored to suppress this use of taxicabs, and the Commissioner of Licenses has assisted, by requiring that their shades shall not be drawn. The purpose of this regulation, however, is readily avoided by driving through dark streets, or on roads in the public parks.

The City Magistrates, and those familiar with the trial of complaints of this sort, suggest that to suppress this evil effectively an amendment should be secured to Sub-division 4 of Section 887 of the Code of Criminal Procedure, which provides that persons who offer to commit prostitution or similar acts are vagrants.

The proposed amendment adds to the Sub-division, a clause, which provides that anyone who "in any way aids, abets, or participates in the doing" of any of the acts or things described, shall be a vagrant. "Public conveyance" is also added to the statement of places in which such acts may occur. Your Committee thinks that this amendment ought to be made by the Legislature.

Your Committee is also of opinion that this proposed amendment should extend the description of offenders so as to include any one "who offers, *agrees, or consents* to commit prostitution, *or any other lewd or indecent act.*" By this means it may be possible to improve street conditions and also to bring to court more women who have not become hardened to the life of a prostitute, and so can best be helped by the reformatory institutions and by probation officers.

2. *Probation, Prostitution in Tenements*: Your Committee recommends that the Inferior Criminal Courts Act, Section

89, paragraph 5, be amended so as to permit the magistrate to place upon probation a person convicted of prostitution in a tenement house. The Committee of Fourteen, in 1915, endorsed this change in the criminal law and after great effort procured the passage of the necessary amendments. One was to Section 150 of the Tenement House Law, which was signed by the Governor, and became Chapter 286, Laws of 1915. The collateral and necessary amendment to the Inferior Criminal Courts Act, above referred to, being a City bill, required the Mayor's approval, which was refused. In 1916 the Legislature again passed the same amendment, only to have it again vetoed by Mayor Mitchel. This has prevented the magistrates from placing on probation a considerable number of women convicted of prostitution in tenements, who might profitably be given the benefit of that admirable system. The magistrates have endeavored to meet this situation by imposing in such cases sentences of a few days' imprisonment, upon the prisoner promising to carry out the instructions of the court to place herself in the care of the probation officer. This method has proved unsatisfactory. It is the unanimous opinion of the Chief City Magistrate, the magistrates assigned to the Women's Court, and the probation officer and workers at that court, that the proposed amendment is of great value. As the number of women convicted of prostitution in tenement houses is no small part of those arraigned, their exclusion from the benefit of the probation system is most unfortunate. It is proposed, however, to exclude those convicted of keeping or maintaining a disorderly house in a tenement house, or those previously convicted of crime from the possible sentence of probation. This exception is contained in Section 150 of the Tenement House Law.

3. *Lodgings Law*: Your Committee has given consideration for some time past to plans to secure a law for the regulation of the renting of lodgings, whether in private

houses or hotels. There is on the statute books at present no law governing this matter specifically. The Liquor Tax Law provision requiring a hotel to keep a register of its guests, and forbidding the rerenting of rooms after 9 p. m., applies only where the premises are licensed to traffic in liquor. The reports and bulletins of our Secretaries have informed us regarding the long and earnest efforts made to suppress assignation hotels in New York City, and that many of these hotels have not heretofore been suppressed because of the inability of the authorities to prove their real character. Some method of protection of the public is a real necessity. Some method of destroying the business of these menaces to public health, order, and safety must be found.

Proposed State Department of Licenses

Your Committee has reached the conclusion that all hotels should be licensed. It thinks that in the cities they should be licensed by city authorities. There are, however, many hotels situated outside cities which should be regulated and often, indeed, suppressed. The licensing and regulation of these latter cannot wisely be left to the local authorities. It seems possible to your Committee that the present State Department of Excise might be made the licensing authority for rural hotels. It is a fully organized State Department, the work of which is threatened with great reduction, if not destruction, by the adoption of the National Prohibition Amendment. This Department is organized in all parts of the State, has a force of agents, and has been efficient in its field. The purpose of this licensing should not be revenue. Your Committee believes that the license fee required of hotels and lodging-house keepers should be sufficient merely to meet the expenses of the administration of the Department. Power to grant, to refuse, to suspend or revoke, subject to court review, should be vested in the State Commissioner. If it be deemed inad-

visable at this time to seek to secure such a State law, your Committee recommends that at least a law be sought applicable to the cities of the State. In this legislation should be included provisions for the control of furnished-room houses, as they are called by the police. There is strong evidence to show that some of these places are the resorts of immoral persons, whose proprietors boldly violate all laws of decency. The police find them hard to suppress when they are run discreetly, and not infrequently respectable persons have been found innocently living in them who, in fact, are used as covers for the violations of law. In one instance a doctor's sign long proved an effective protection. When the house was raided, it was found that the doctor occupied as his lodgings the fourth floor hall bedroom, rear, and was supposed to see his patients in the public parlor only between 10 and 11 o'clock in the mornings. To any plans so far proposed, however, there are serious objections. The number of respectable houses where lodgings are let is very large; they ought not to be oppressed by needless supervision. The definition of houses to be included in the plan for supervision should be carefully framed. The Committee thinks supervision should be limited to cases where at least three or more rooms are rented, or where the business of renting rooms is publicly announced or advertised.

4. *Proposed Cabaret Ordinance.* Your Committee renews the suggestion made last year as to the wisdom of licensing the performances at places called "Cabarets." Some courts have held that these performances are not theatrical within the meaning of the charter, and are not required to be licensed by the city. The distinction is evidently very fine for the Federal authorities have made the proprietors of all the large cabarets collect the war-tax, as required of managers of theaters.

The need for such control by a licensing authority is plain. An objectional performance can now be suppressed only by a criminal proceeding, or by a revocation of license by Excise Department suit. Whereas, if the places were within the jurisdiction of the License Commissioner, he could in his very wide discretion rescind the license at once in case of misconduct. Many of these cabarets are planned for immodesty. Half-dressed girls are permitted to dance and sing within arm's reach of many of the guests while the latter are eating and drinking. In the case of theaters, it will be noted that the service of intoxicating liquor is forbidden absolutely.

In presenting this report your Committee desires rather to outline the subjects upon which legislation and regulation seem to it to be necessary than to present perfected plans for such legislation and regulation.

EDWARD J. MCGUIRE,
Chairman

IV

SPECIAL REPORTS

By the General Secretary

1. Vice Conditions in New York City in War Days

Co-operation with Army and Navy Departments Commissions on Training Camp Activities

The co-operation of the Committee with the War and Navy Departments' Commissions on Training Camp Activities, begun in May, 1917, was continued during the year last past. Originally Mr. Fosdick, the Commissions' Chairman, asked the Committee to cover the States of New York and New Jersey, but later the development of the work and the strengthening of the Commissions' Staff led to the reduction of the Committee's field to the Metropolitan District. This made possible more intensive work with more satisfactory results. During the winter of 1917–1918 the repression of vice temptation to men in service had become increasingly difficult. The prostitutes and vice commercializers knew that the man in navy blue or khaki was not a detective, and hence could be solicited with impunity. Not infrequently police officers, testifying at the Women's Court, related how the defendant, charged with loitering for immoral purposes, was seen to approach only soldiers or sailors, paying no attention to civilians. Following the German drive of March, 1918, so many troops were sent across that Camps Mills and Dix, both in the Metropolitan District, had to be used as embarkation camps, as well as Camp Merritt. As a result, there were always large numbers of soldiers in town on furlough. At times, when the transports and convoys were in port, many sailors also were in evidence on the streets.

To facilitate the apprehension of the prostitutes who were soliciting men in service the local police commanders sought

permission for their men to wear Army or Navy uniforms. The Federal authorities hesitated to sanction this technical violation of a United States statute, though when the police did wear the service uniforms there was an appreciable increase in arrests for prostitution and sales of liquor to soldiers and sailors. The difficulty was solved by the War Department Commission securing a detail of twenty-five soldiers from Camp Upton. This squad was in charge of Captain Timothy N. Pfeiffer of the Sanitary Corps, formerly of the District Attorney's Office, and the American Social Hygiene Association. The Captain and his men co-operated with the local police, enabling the latter more effectively to suppress violations. The word soon spread through the underworld that soliciting soldiers was not safe as heretofore, and that careless selling of liquor to men in uniform was dangerous.

Captain Pfeiffer also made a series of cases against chauffeurs who permitted prostitutes to use their taxicabs for immoral purposes.

The Committee's General Secretary was in daily communication with Captain Pfeiffer, rendering him every assistance possible by advice and information as to local laws and law-enforcing agencies, by introductions to those who could help him, and by special investigations of vice conditions in New York and nearby cities and towns.

New Health Law

Among the many acts passed by the New York Legislature of 1918, dealing with war conditions, were three of importance to the Commission and the Committee. Of the most interest was an amendment to the Health Law, which became Chapter 264 of the Laws of 1918. It provided that persons suspected of suffering from venereal disease and likely to infect others, should be examined by the Board of Health and, if found to be so diseased, required to take an approved treatment. The law further provided that every

person convicted of prostitution should be deemed to be such a suspected person, and not be released from the jurisdiction of the Court until examined by the Health Department. While the Committee of Fourteen has held that the Health Department had the right to make such examinations under its general powers, this new law removed any question, both as to that Department's right and its duty so to act. The law passed without opposition because of the spread of the knowledge of the extent of venereal infection, based on the reports of physical examination for the National Army.

Those convicted of prostitution in the Magistrates' Courts have since been regularly examined, and the report of the physical condition ascertained by such examination is made to the Magistrate prior to sentence. While the Magistrates have not imposed longer sentences on those found to be suffering from venereal disease, they have taken the fact of their physical condition into consideration, so that in the disposition made there may be reasonable assurance that the defendant shall receive proper treatment. In the case of those committed to the workhouse, it was arranged that if the disease be still in an infectious state at the time of discharge, and there be good reason to believe that medical treatment will not be voluntarily taken, as required by the Health Department, they shall be detained in the Riverside Hospital by that Department during the period of danger.

Disease Reports

An investigation of the reports made on those convicted of prostitution in the Women's Court in the four months, June to September, 1918, shows that:

Of the 679 women examined, 340, or 50 per cent., were suffering from an evident venereal infection. This proportion of infection, while serious, is not as high as reported some years ago when, as the result of examinations made by

the Health Department, at the request of the Commissioner of Corrections, it appeared that 79 per cent. of the women committed to the workhouse for prostitution were infected. The cause of this apparent low percentage of disease is being investigated by the Department of Health.

A further examination of the reports of the Women's Court discloses that of the 340 suffering from infection, 200 had not been previously convicted, which does not necessarily mean that they were recent recruits to the life of prostitution. In a number of instances the records showed that the diseased person was convicted of prostitution for the first time many years ago. It is appalling to consider how many men may have been infected by these women.

Liquor to Soldiers and Sailors

In April and May the Committee's General Secretary was in frequent attendance at the United States District Courts for the Southern District and the Eastern District of New York. It was found that these liquor cases blocked the calendars, not only because of the larger number of cases, but because the great majority of the defendants were unable to obtain bail. Prison cases require immediate trial. It was also found that with an occasional exception, the defendant was not a licensed liquor dealer or bartender, but a "boot-legger" or a messenger. The testimony generally was that the man in uniform was seen to approach the defendant, whereupon the defendant went into a saloon and on returning joined the soldier or sailor, passing him a package, and receiving something from him. Being apprehended at that moment by the police officer, it was found that he had passed a bottle of liquor, generally whiskey, and was paid for it frequently an amount which was higher by twenty-five or fifty cents than the cost of the liquor. There were other cases in which the messenger made no profit whatsoever. In a number of instances the defendant, when

asked by the court if he did not know he was violating the laws in getting liquor for a man in uniform, answered "Judge, this was a sympathetic affair. The soldier told me he was all in and must have a drink." In one instance the defendant actually said to the Court: "You would have done the same, Judge, if you would have been there."

Where the defendant made an unreasonable profit, or it was shown that he made a practice of getting liquor for men in uniform, the Federal Judges imposed sentences of from ninety days to a year, but where it was "a sympathetic affair" and the defendant had pleaded guilty, sentences of one day were frequent, and the average was not beyond ten days. While it was recognized that such short sentences would not act as a deterrent to others, and hence did not improve conditions, the Judges were loath to commit to a penal institution for a long time the man before them who was not in reality a criminal, recognizing that from his association there he might be made a dangerous member of society.

During six months, ending September 30, 1918, there were 840 persons charged with selling liquor to men in service in the Federal Court for the Southern District of New York, and over 375 in the Eastern District (Long Island). Of these, 1,150 pleaded guilty. Of those who pleaded "not guilty" 69 were tried during these months, 40 were found guilty by the juries, and 29 acquitted.

Effective Enforcement

The New York Legislature also amended the Liquor Tax Law making it unlawful to sell liquor to any member of the military or naval forces of the United States, or of the New York State Guard, "while in uniform," the State law being by this phrase more limited than the national regulation. This amendment proved most fortunate, as, with the increased apprehension of offenders of Section 12

of the Selective Service Act (sales of liquor to soldiers and sailors), the number of such cases in the Federal Courts became so great as seriously to delay the trial of the many important special cases arising out of war conditions. Early in June, at a conference between Captain Pfeiffer, Judge Kernochan of the Court of Special Sessions, and Chief City Magistrate McAdoo, it was arranged that persons apprehended for selling liquor to soldiers should be charged with the violation of the State Liquor Tax Law and tried in the Court of Special Sessions. This change was effective, for the State Courts could better handle these cases than the Federal Courts. There is no provision in the Federal law for a suspension of sentence and the placing of defendants upon probation, nor are the Federal Courts equipped with officers to investigate the circumstances of the defendant and the case, that the Judge may be duly advised before imposing sentence.

There was considerable discussion at the conference as to whether the State law was broad enough to convict the greater proportion of the defendants on the evidence as given in the Federal Courts. The point was that as the majority of these defendants were, in a measure, acting as agents of the soldiers and sailors and, since the men in service did not commit a crime in purchasing liquor, naturally their agents were equally guiltless. It was, however, held that the intermediary in these cases was really an agent of the seller of the liquor, the saloon-keeper, and also that a prior conviction of his principal was not necessary to the conviction of an agent.

A report of the conference with Judge Kernochan and Judge McAdoo was made to Police Commissioner Enright, who then issued an order to the police that persons arrested for selling liquor to soldiers and sailors should be charged with a violation of Section 30c of the State Liquor Tax Law. The order also stated that if, on arraignment before the magistrate, or after trial in Special Sessions, the defendant

was discharged, because the State law was not broad enough to cover the case, he should be forthwith rearrested and arraigned in a Federal Court. This amended procedure was immediately effective in the ways anticipated.

Disposition of Cases

During the four months, June to September, 1918, 249 persons, charged with selling liquor to men in service, were arraigned in the Court of Special Sessions in the County of New York. Of this number, 210 pleaded guilty or were convicted after trial, and only 12 were acquitted. There were 54 cases in Kings County; 35 defendants pleaded guilty or were convicted, and six acquitted. The sentences imposed by the Judges in Special Sessions averaged probably twice as long as those imposed by the Federal Judges. This is to be attributed to the fact that investigations disclosed the real character of the defendants to the court.

Of the 1,410 of these cases determined in the courts but 47 were acquitted, a proportion of convictions which has probably never been exceeded in any other kind of a case—a fact attributable to an aroused public opinion.

From the middle of June the number of these cases (sales of liquor to men in service) decreased, the total for April being 309; for May, 481; for June, 236; for July, 88; for August, 145; for September, 88. This decrease was due not only to the more effective disposition of the cases in the Court of Special Sessions, but to the closing at 8 p. m. of the so-called family liquor stores, or bottle houses. These places are certificated to sell liquor not to be consumed on the premises, hence the frequent purchase in them of liquor by messengers, to be given to men in uniform, did not arouse the suspicion of the proprietor in the same way that it would in a saloon, where the great bulk of the sales are for consumption on the premises. The early closing of these places was the result of an order issued by the State Com-

missioner of Excise on request by the Mayor, that order being made possible by authority vested in the Commissioner under the so-called Newton Law of 1917. This was an emergency measure, passed shortly after our entrance into the war, giving the Commissioner of Excise exceptional powers. Under it he has full power not only to regulate the liquor traffic, but to order its total suspension. The law came to public notice chiefly through the action of the Commissioner in ordering the saloons of New Rochelle closed during the weeks when the town was overcrowded with men sent to Fort Slocum for induction into the Army.

"Newton Law"

The first application of this law in New York City was in South Brooklyn, in the immediate vicinity of the Morse Dry Dock Works. The order directed the closing of all certificated places in an area half a mile in length and several blocks in width. This area has been extended from time to time, so that the South Brooklyn waterfront has become "dry territory." The law was also utilized to prevent illegal sales of liquor at Patchogue and Hempstead, the Excise Commissioner's regulations providing that no liquor should be sold to be consumed off the premises.

The first attempt to enforce the law in South Brooklyn resulted in a decision that it was unconstitutional, the court holding that it was taking property without due process of law, which could not be tolerated even in war times. The Excise Commissioner on appeal secured the reversal of this decision. This was fortunate, as the law has been of great assistance in maintaining satisfactory conditions.

With the establishment of the Camps there were rumors that the vice commercializers, who had been repressed and restrained in the cities, would establish themselves in their vicinity. This was a false alarm, for the commercializers were afraid to undertake establishing resorts, because of the

activity by the military authorities against vice. Only one such attempt was discovered by the Committee's investigators. Certain persons who had long been the subject of police attention in New York City, because of their endeavor to conduct disorderly resorts, were found managing a restaurant within comparatively easy jitney distance of one of the large mobilization camps. These people admitted their intentions, but complained that they could not establish the right connections. After a few weeks the attempt was discontinued.

Crime in Long Island Towns

The problems of law enforcement in the small communities surrounding the camps presented many difficulties. Vice in these places was seldom sufficient in extent to constitute a serious condition. Generally a woman or possibly two women might be found in a house willing to receive men for immoral purposes. The customary action of the local police in such cases was to "run the women out of town"; locally effective, but of no real benefit to the community at large. Town and village police could rarely do more, because their numbers were so limited that it was difficult, if not impossible for them, to secure the evidence necessary for conviction. In a case in which the Committee co-operated with the police of a Long Island village to secure a man who had under his control a young prostitute, the local policeman, when attempting to secure evidence, was immediately recognized by the "pimp," although apparently completely disguised. This proved most unfortunate, as it was undoubtedly the lack of the anticipated corroborative evidence which caused the acquittal of the defendant by a jury on his trial. In this same town was found a most persistent violator of the liquor laws. On evidence, in the securing of which the Committee assisted, he was arrested, charged with selling liquor without a license, and selling liquor to

soldiers. From his conviction on the former charge he took an appeal. Before this was decided he had again been arrested for selling liquor to soldiers, and upon conviction received the maximum penalty of a year in jail and a fine of $500. In another Long Island town the Committee's investigators successfully disarmed suspicion by assuming the character of possible purchasers of the suspected hotel. Late in the evening women were introduced to them by employees who stated that they were prostitutes. Of one of these women the waiter said "she was better for American officers than German bullets." Unfortunately, this man realized his danger before he could be arrested and fled from the jurisdiction.

Co-operation with "M. P."

The Committee was able to render considerable assistance to the Military Police at the various camps. At Camp Mills the Committee's Secretaries found Major Clarke W. Tobin an energetic and effective commander of the "M. P's". An experienced investigator was detailed by the Committee to assist him. During this period upwards of one hundred persons were apprehended for violations of the law, including a considerable number of taxi drivers found guilty of selling liquor to soldiers. Mention is made in the Committee's report of last year, of the opportunity obtained through the proximity of Camp Merritt to endeavor to improve conditions in Paterson. During the year the Committee made repeated investigations of vice conditions in that city, both of the tolerated houses and of the hotels. After the establishment of the War Department Commission's office in New York City, Lieutenant Frank J. Osborne, of the Sanitary Corps, formerly Secretary of the NewYork Social Hygiene Society, was detailed to cover northern New Jersey, and the reports of the Committee's investigations in Paterson, Newark, and New Brunswick enabled him to take effective

measures to suppress the vice conditions existing in those places. In Newark, serious conditions were found in the cabarets frequented by both white and colored. The problem in New Brunswick was largely of the "charity girl."

Segregated District Closed

Next to New York, Atlantic City undoubtedly has more visitors with money to spend than any other place in America. In this pre-eminently amusement city there had long existed a segregated district, consisting of some forty disorderly resorts of the "parlor-house" type. Despite the general repression during recent years of such districts throughout the country, the houses in Atlantic City were openly conducting business, and their location was common knowledge.

In the summer of 1917 this condition was reported to Secretary Daniels by the Law Enforcement League of Atlantic City, it being stated that soldiers and sailors visiting Atlantic City were to be seen in the district. The appeal was referred to the Committee of Fourteen for investigation. While the investigation disclosed that men in uniform were being refused admission to the houses, the seriousness of the situation as a national problem and one not peculiar to war days, was strikingly evident. For this reason the assistance of the American Social Hygiene Association was sought and secured. Investigators, under direction from the Committee, obtained exceptionally strong evidence against six of the worst resorts in the district. In four of the houses the evidence was of immoral exhibitions. This evidence in affidavit form was sent to the Law Enforcement League, which brought actions in the Chancery Court of New Jersey for injunction proceedings, under an Injunction and Abatement Act. Immediately after the service of the papers the owners of the property on which some twelve resorts were located informed the petitioner that, if the cases were not pressed,

they would close these houses. Two of the cases were contested, but though an appeal from the granting of the injunction was begun, it was never perfected. The beginning of these actions led the local police authorities to suppress the district.

Charity Girls

The investigations during the past year confirm the earlier reports, that the vice problem in the vicinity of the Camps was largely of the non-commercial type. The phrase "charity girl," which had begun to be used before the war, as describing the woman who was immoral but without monetary remuneration, has come into common use. Whether there has been more of this illicit relationship due to the lure of the uniform, sometimes called "khaki fever," is a question. Certainly it is true that attention has been focused upon this phase of the vice problem. The War Department Commission found the problem to be so serious that it established a special section of the Division on Law Enforcement to deal with the problem, and stationed workers in the various communities in the vicinity of the Camps to work with girls and reduce the dangers to a minimum. Its representative in the Metropolitan District has been Mrs. Edith J. Mitchel. This work has been most effective, not only in protecting the girls, but also in rousing the women of the various communities to a realization of their responsibility and the need to assist recreation agencies in giving the men and girls an opportunity to meet under properly chaperoned conditions.

2. Assignation Hotels

The Committee's Annual Report for 1915 contained a section entitled "Obstacles to Law Enforcement." In this section were explained the difficulties encountered in endeavoring to suppress the so-called assignation hotel. The principal business of these hotels is furnishing accommoda-

tions to couples whose purpose, judged from the length of stay, cannot be other than immoral. At that time, 1915, there were about forty such hotels in the city. Whether or not they are characterized as vice resorts, they constitute a moral menace to the community. Though centrally located, and hence readily accessible, many of these hotels are inconspicuous. They are of a size and appearance which gives a sense of security to those frequenting them, which is strengthened by the common knowledge that the guests have been rarely disturbed by police raids. Most of the women who accompany men to these hotels are not prostitutes, or at least, are not street-walkers. Many of them are of the type known as "charity."

Certain of these hotels have also been used by prostitutes, though most circumspectly. Under existing rules of evidence to prove criminal responsibility, it must be shown that the defendant has knowingly admitted persons for immoral purposes. This is generally done by evidence that the same woman was admitted as the wife of two different men within a space of time so short that it was reasonable to assume that the clerk who rented the rooms could, or should, have recognized the woman. The courts have held that ordinarily this length of time shall be the same night. This has made it possible for a prostitute to frequent a series of hotels, if she takes each of her different customers of a night to a different hotel, and to repeat these visits on the following night, without in any way involving the management in a criminal knowledge of the use to which the hotel is being put. Where several hotels catering to transient couples are located in the same neighborhood, such a method of doing business is facilitated.

The police have been able to close those hotels which catered to the street-walker and the Committee, through its co-operation with the brewers and surety companies, has caused the business of the small hotels to be restricted to

men only. Meanwhile, the proprietors of the larger hotels, of from twenty-five to one hundred rooms, which admitted transient couples, being independent of the brewers and able to deposit cash security in lieu of the usual surety bond, have continued business unchanged.

Suppression Methods

The police have from time to time sought to suppress these "transient couple" hotels by stationing policemen at the entrance who, by direction of their commanding officer, approach each couple entering, saying to them: "This is a suspected disorderly house. It is under police surveillance and may be raided at any time." This statement causes a great majority of the couples to leave without entering. By so reducing the business, a heavy loss is imposed upon the management. Naturally, the proprietor of a hotel at whose entrance policemen are so stationed makes every endeavor to have the officers removed. If unsuccessful, and as a final resort, an application is made for a warrant for the police inspector responsible for the stationing of the officers. The crime alleged is oppression. The magistrates have generally refused to issue the warrant. This method of suppression has the weakness that it takes the whole time of at least two officers, and frequently four officers, not for a few days only, but frequently for many weeks and months. Yet without additional law or a change in the requirement of the courts as to the evidence necessary to prove a hotel to be a disorderly house, this is practically the only way in which assignation hotels can be closed.

Special Cases

For many years there have been two hotels on the East Side of the city, in the 3rd Police Inspection District, which have been perhaps better known than any others in the city

for the character of the business done. It is said that these hotels have been more frequently mentioned than any others in divorce actions based upon infidelity. In May, 1917, Inspector Bolan, commanding the 3rd Inspection District, stationed uniformed police officers at the entrances of these hotels, two to each hotel. While this decreased the number of couples who secured rooms in them, it soon became evident that no small part of the business done was in the afternoons. The officers were accordingly directed to commence their surveillance early in the afternoon, which caused a further decrease in the amount of business done. Failing to secure the removal of the officers by appeals to the Inspector and the Police Commissioner, the proprietors finally applied for a warrant for the Inspector. After protracted hearings, this was denied by Magistrate Marsh, the Inspector having shown by the reports of the officers stationed at these hotels that between April 15 and December 31, 1917, over 10,000 couples without baggage had been observed to enter the hotels, of whom 5,500, or over one-half, stayed twenty minutes or less, while about 950 couples left the premises within an hour of their entrance, circumstantial evidence that at least 64 per cent. of the business of these hotels was with guests seeking opportunity for immoral acts.

Transient Couples

The stationing of officers was continued until May, 1918, except for sixteen days, when, by orders from Headquarters, only observations were made of the business done. Despite the police warning, over 3,600 couples entered during this period of three and a half months, of whom 650 stayed less than twenty minutes, and about the same number less than an hour. This makes the proportion of transient couples about 23 per cent., a very great reduction from the

proportion in the preceding months. The testimony given in court indicated that during May, 1918, the average number of couples admitted to both hotels was less than twenty a day, as compared with an average of about 125 a day in May of the previous year. The proprietor claimed that the police action had caused him a loss of over $100,000, which can well be believed, as it had been generally understood that the yearly profit of one of these hotels had averaged $80,000 over a series of years.

During the sixteen days in which the police were withdrawn, the number of couples observed entering these hotels was about 1,400, or an average of 85 a day as compared with an average of 28 while the police were stationed at the entrances and cautioning couples. This threefold increase in so brief a space of time would seem to indicate clearly the character of the business done, and also how quickly the word is spread among those who seek such accommodations that the police deterrent had ceased.

Suggests Changes of Business

It is understood that several times during the year the management, in seeking to secure the withdrawal of the police officers, promised that rooms would be rented to legitimate couples only, proposing to determine the character of the couple by the fact that they brought baggage with them, or sought to rent rooms for at least three days. To this the police did not consent, knowing how easy it is for a couple seeking accommodations to secure baggage which may appear to be legitimate, as also that if rooms could be rented for three days, without a stipulation that the three-day rate would be three times the day rate, the length of stay provision would prove totally ineffective. In the same connection it is to be borne in mind that, even if three times the daily rate is charged, there are probably many couples willing to pay the increased price, though occupying the

room for no more than an hour, instead of the stipulated three days. There are probably enough such couples to keep a hotel fully rented and hence profitable to the management.

To establish a profitable legitimate use of such a hotel is difficult. A hotel having a reputation of accommodating transient couples cannot lose it for a long time. There is only one thing to be done, and that is to conduct it as a hotel for men only for a considerable period of time. Though such hotels are frequently too large and of too good a class to be profitable, if conducted as hotels for men only, it does not seem unreasonable to demand that they should be run at a loss for a reasonable period of time, in view of the large profit made from transient couples during the many years of such use.

Other Hotels

Early in 1918 police officers were similarly stationed in front of all the other hotels in New York City, the principal business of which was furnishing accommodations to transient couples, it being the determination of Police Commissioner Enright that such hotels should be suppressed. This action seriously interfered with the business of these hotels.

In May or June the police sought the assistance of the District Attorney in a further effort to suppress these hotels. John Doe Grand Jury *subpœnas* were given the police by the District Attorney to serve on all couples found in them, and *subpœnas duces tecum* were issued for the hotel registers. The result was a large attendance at the District Attorney's office, and a checking up of many hotel registers. The facts disclosed confirmed the police accusation that these hotels were catering to transient couples, and that the purpose of the couples was immorality. A few of the registers showed as follows:

Couples	18	Single Men . .	2
Couples	13	Single Men . .	2
Couples	22	Single Men . .	4
Couples	26	Single Men . .	None
Couples	15	Single Men . .	4
Couples	19	Single Men . .	2
Couples	21	Single Men . .	None
Couples	32	Single Men . .	None
Couples	41	Single Men . .	2

Of course there was no evidence that even those men who had not signed "and wife" were not accompanied by a woman, but the record as it stands is sufficient indication of the character of the business done.

Efforts have been made by the Committee Secretaries from time to time to secure from the legitimate commercial hotels a record of their guests, in order that a basis might be secured upon which to judge legitimacy of the business as indicated by the register. For some reason, possibly fear that competitors might profit by a knowledge of the facts, the hotel proprietors requested to furnish this information have not been willing to do so. While the proportion of couples who are guests for a night only is probably no small part of the business of the legitimate hotels, the number of single men is undoubtedly very much larger than is shown in these assignation hotels.

Co-operation—Brewers and Police

About the time that the police were so dealing with these hotels, Chief Inspector Daly wrote to the President of the Brewers' Board of Trade calling his attention to some thirty-three hotels which he characterized as immoral resorts, and which the police had been unsuccessful in suppressing because of the difficulty of securing the necessary evidence for a criminal conviction, and asked the assistance of the members of the Board of Trade in his effort to change

the business of these hotels or enforce the closing of their doors. At this time the production of beer by the brewers had been restricted by the Food Administration to fifty per cent. of the normal output, so that, instead of competing to sell beer, the brewers had been forced to adopt a system of rationing their customers. It was agreed by the Board of Trade that its members would not continue to supply the hotels of which the police had complained, unless the cause of complaint was removed. The effect was immediate, the proprietors finding themselves forced to choose between a big decrease in their bar business or a discontinuance of the rental of rooms to couples. Those hotels which had a profitable bar business immediately agreed not to rent rooms to couples, and in a number of instances made these promises in writing to the District Police Inspectors. The result was a clean-up of these resorts such as New York had never known before.

Additional Co-operation

This improvement of conditions was made more permanent through the co-operation of the Committee of Fourteen with the brewers and surety companies (for details, see section entitled "Business Interests"). Those proprietors who promised the Committee that they would conduct their hotels for men only, secured surety company bonds, while those who sought to continue to admit couples to their hotels, or whose promises the Committee was unwilling to accept, filed with the Excise Commissioner in lieu of the usual surety bond, $2,000 in cash, or a bond with personal sureties. Incidentally it transpired that some of the proprietors had secured from the owners of their hotels a reduction of rental upon promising to conduct the business in the future for men only.

The result of these joint efforts was:

Hotels reported to the brewers by the police			*33*
Closed	8		
Admitting men only	11		
Admitting men and permanent couples .	*2*	*21*	
Admitting couples:			
Not certificated to traffic in liquor . .	3		
Certificated—gave "Cash Bond" . . .	*9*	*12*	*33*

The police are watching the twelve hotels which are admitting transient couples, so continuing to force a limitation of business and a loss of profit.

How permanent the improvement will be is uncertain. Much will depend upon the police. The closed hotels, until changed to other uses, can be easily reopened and conducted as before. With the loss of the bar trade on July 1, due to prohibition, it is possible that those hotels which restricted the rental of their rooms to men, rather than lose their supply of beer, may again cater to transient couple trade. Time only can tell.

3. The Man and Street Soliciting

The most easily observed evidence of vice is street soliciting, a form of evil very prevalent in New York in years gone by. No one could then visit certain sections of the city, especially East 14th Street, or the vicinity of Broadway and 29th Street, without his attention being attracted by the numerous women, obviously prostitutes, to be seen approaching and speaking to men. The improvement in recent years can be attributed chiefly to the establishment of the Women's Court, the adoption of the finger-print system of identification, and the discontinuance of fines as penalties. A more recent contributing cause to the repression of public solicitation has been the Parole Commission Law, under which a person twice convicted within six

months, or three times convicted within any period of time, may be committed for an indeterminate sentence not to exceed two years. But despite this improvement in the machinery of the law, women whom the knowing ones recognize as prostitutes still loiter on the street.

Why has not all solicitation been suppressed?

Points of Evidence

Those familiar with the proceedings in the Women's Court distinguish between the soliciting cases, which depend upon direct evidence, and the loitering cases, which depend upon circumstantial evidence. In the former cases, the complaining witness, a police officer detailed to duty in citizens' clothes, testifies that, without encouragement from him, he was approached and solicited by the defendant. In the cases depending upon circumstantial evidence, the officer testifies to seeing the defendant approach various men on the street and pass on after a short conversation. Possibly the last man to whom she had spoken before her arrest had accompanied her to the entrance of a hotel, or this last man, being questioned in the presence of the defendant by the witness, admitted that he did not know the woman and that she had solicited him.

To avoid incriminating acts, the experienced street-walker rarely speaks to an unknown man, but by a peculiar look or manner of walking attracts a prospective customer around a corner, where she solicits him. In such cases the woman commits no offense, as the law is at present construed. It is customary for the judges to find the circumstantial evidence sufficient if the woman has spoken to at least three men. This rule is known to the women and so, to break the series of men to whom they speak on the street, they go into some store, or they may speak to only two men before returning to some convenient resting place.

If street conditions are to be further improved, and from the criticisms still heard, it appears that many believe they should be, some additional or new method of repression must be utilized.

Criticisms of Present Enforcement Methods

It is a frequent comment of visitors to the Women's Court that only women are convicted for street soliciting; that the men who pick up or are picked up by these women are equally guilty and should also be apprehended and punished. The explanation that men do not commit prostitution, which, as defined by the Century Dictionary, is "promiscuous intercourse for hire," does not satisfy the critics. The Courts deal severely with the man, popularly called a "masher," who annoys a woman on the street, but only if the woman personally appears against him. The critics hold that this constitutes a sex discrimination, for women are arrested and convicted on the testimony of police officers without complaint from the man or men whom they may have approached and solicited. To the reply that the prostitute has commercialized immoral relations and is a constant temptation to the youth of the community, and a spreader of venereal disease, the critics answer, Is not the man equally a menace? It does not seem impossible to meet both criticisms, to improve street conditions and to suppress the "masher," and both in the same way. If there is no one to hire, there can be no hiring. While, as has been said elsewhere, people cannot be made good by law, it is the duty of the community to reduce temptation. As the temptation to be immoral for hire has been decreased by the knowledge of the dangers of the life of prostitution, so temptation will be reduced for men, if it is known that public opinion will sustain the authorities in vigorous procedure against those who patronize the prostitute. It is reasonable to believe when men know that there are no prostitutes on the street, they will not improperly

approach any woman, as they frequently do today. The man who today approaches women on the street will tell you that he approaches only those who, he thinks, will not reject his proposals. Eliminate the prostitute and this excuse is lost.

Limited Construction of a Law

In 1915, the New York Legislature amended the Code of Criminal Procedure to include among those "who are vagrants," a person who in any manner induces, entices, or procures a person who is in any thoroughfare or public or private place, to commit lewdness, fornication, unlawful sexual intercourse, or any other indecent act. It will be noticed that this amendment reads "a person," so that the offense is not limited by sex. While this law has been much used by the police in apprehending prostitutes, it was the intention of those who drafted the amendment that it should be used to repress solicitation of women by men. In other words, to reach the "masher" without requiring the woman to appear in court and testify against him. It was expected that the police would detail women, attached to the Department, to walk the streets and, if spoken to by men and improper suggestions made, to arrest the men under this law. The expectation of the drafters has not been realized. Despite repeated appeals to police officials, they have been unwilling to enforce the law in this way. At first they argued that the law, so construed, would be unconstitutional; but when urged to make a test case, they were unwilling to do so. They suggested that the Committee of Fourteen secure the evidence for a test case with its own investigators. The necessary evidence was secured, but the magistrate to whom the application for the warrant was made was unwilling to endorse upon it the necessary permission for its execution after sundown. This unanticipated refusal disarranged the Committee's plans and prevented the

use of the warrant. While an arrest might have been made by the investigators without a warrant, the Committee was unwilling to direct them to do so because of the possibility, if the law was held to be unconstitutional, the agents might be sued for false arrest.

Evidence Secured

Some months later similar evidence was again secured. It was briefly as follows:

A woman investigator employed by the Committee was seen by other investigators to be followed by a man who later spoke to her and with whom she conversed for a few minutes. He was later seen to follow her until she entered a subway station. The same man was observed two nights later to loiter for forty-five minutes on a certain corner, and then to leave without being joined by any one. The woman investigator stated that the man had opened the conversation by saying: "Good evening. Are you out for a walk?" In response to an affirmative answer, he inquired if she would not accompany him to a certain hotel, which was well known to rent rooms to "transient couples." He stated that he would pay her $5. Upon her demurring, he stated that he would give her $7 if she would stay all night, that the room would cost him $3, and that $10 was all he could afford to spend. She said she told him that she had another appointment for that evening, but would meet him at a designated place two nights later, and it was at this designated time and place that he was later seen loitering, acting in every way as though he anticipated being met by some one.

Application for a warrant was made upon the woman's affidavit. As the magistrates to whom the application was made were unwilling to issue a warrant, the man was not apprehended on the second night, as was anticipated.

It was then urged that the question of the legality of a conviction under the statute, based on a finding of facts as above set forth, should be considered by the Committee on Law of the Board of City Magistrates. The facts in the case and arguments in support thereof were submitted to Judge McAdoo for reference to that Committee, but no decision has as yet been reported.

Legal Points

There is little question as to the soundness of the Committee's contention and there is every probability that a conviction secured upon facts as above set forth would be affirmed. There have been several convictions of men under the statute as amended, although in these cases the women were neither detectives nor decoys. Some argue that since there is no intention on the part of the detective to commit prostitution, no offense is committed by the man. The answer to this contention is to be found in the decision of the court in the case of People *vs.* Belle Moore, 142 App. Div. 402, confirmed without opinion in 201 N. Y. 570. In this case the defendant, for a money consideration, procured for police officers women who were to be transferred to another state for immoral purposes. It was argued in her defense that since those for whom the women were procured had no intention of using the women for immoral purposes, the defendant committed no offense. The defendant, however, believed that the women whom she secured were to be so used and would not have acted differently in any respect had that been the real purpose of those with whom she dealt. The court held:

The offense denounced by Penal Law (Consol. Laws, c. 40) Sec. 2460, Subd. 4, punishing "every person who shall knowingly receive any money . . . for . . . procuring and placing in the custody of another for immoral purposes, any woman, with or without her consent," is completed where one knowingly re-

ceives money on account of procuring and placing in the custody of prosecutor two women with their consent, for immoral purposes, though prosecutor merely laid a trap for accused and did not intend to make use of the women for immoral purposes, and did not so make use of them; the word "knowingly" being limited to the receipt of money, to the procuring and to the immoral purposes for which the women were procured.

In short, the completed act would be a crime, regardless of the fact that a trap had been set for the accused.

Public Opinion?

The hesitancy of officials to use Section 887 as urged by the Committee is undoubtedly due to the supposed probable opposition of public opinion, not as yet ready to support proceedings against the man who is the customer of the prostitute. Public opinion strongly sustains any effort to penalize the man who profits financially from the immorality of women. No sentence seems too long for the "white slaver," formerly called a "cadet," and the man popularly called the "pimp," whom the prostitute supports from her earnings, although without the physical restraint which is involved in real white slave cases. But the attitude of public opinion regarding the customer of the prostitute is quite another matter.

Are not the critics of the present order right, and is not public opinion lagging? If it is intended that prostitution should be suppressed, should not the law be enforced as much against the man that hires as against the woman who is hired? The question involved is whether the community intends to use every reasonable method to suppress prostitution, and whether the proposed method is reasonable. Has not army experience prepared the way for a new attitude on the part of the authorities to which public opinion will now be more responsive? The experience of the Army authorities, through the draft law, has shown the wide prev-

alence of venereal disease, the seriousness of which, long well known to the medical profession, is now recognized by the general public. The campaign of the Surgeon General's Office, that men subject to draft or already in the Army should maintain themselves "fit to fight," is a conclusive answer to the theory formerly commonly held of sex necessity by men. Similarly, the suppression of segregated districts by the national authorities is an official answer to the old theory that, since prostitution cannot be suppressed, the prostitutes should be segregated.

It is reported that General Pershing has refused to permit houses of prostitution to be established in the vicinity of American camps in France, and where American troops are quartered in districts under French control, in which there may be tolerated houses, he has ordered such houses declared out of bounds, so preventing our soldiers from frequenting them.

With public opinion so informed and aroused, the time would seem to have come when there should be no difference of treatment between the prostitute and her customer; when public officials should attempt to enforce the law against the man who seeks a woman for an immoral purpose as energetically as they now proceed against the prostitute.

FREDERICK H. WHITIN
General Secretary

December, 1918

V

REPORT OF THE SECRETARIES

Courts

GRAND JURY AND THE COURT OF GENERAL SESSIONS

To keep a disorderly house is to commit a misdemeanor. Persons charged with misdemeanors in New York City are tried in the Court of Special Sessions, where three judges, sitting without a jury, determine both law and fact. Application may be made, however, to a judge of the Court of General Sessions for a jury trial, which may be granted or refused in the discretion of the Court. If the application is granted, the evidence is submitted to the Grand Jury for consideration. If that body finds an indictment, the defendant is held for trial before a petit jury.

Formerly there were few applications for jury trial by defendants charged with keeping disorderly houses. As the sentences in these cases in Special Sessions became more severe, the number of applications increased, for, if the application be granted, the chances of conviction are greatly diminished. In the first place, as the records show, the percentage of indictments by the Grand Jury in such transferred cases is much less than that of convictions in Special Sessions. This is of special note, because a Grand Jury rarely hears the defense, its function being to determine whether the defendant shall be held for trial, *i. e.*, whether there is sufficient evidence to put him upon his defense. In the second place, where indictments are found by the Grand Jury the trial in the Court of General Sessions is generally long delayed, misdemeanor cases, which are an exception in that Court, naturally yielding in importance to the felony cases. As delay generally favors the defendant, this is another advantage gained by having a case transferred. Finally, there is always the possibility that a petit jury composed of twelve men, inexperienced in criminal law, may be misled in cases of this sort. Moreover,

their verdict must be unanimous while a majority of the judges in Special Sessions is sufficient for conviction.

"Transferred Cases"

The Committee has reported in previous years on the transfers of disorderly house cases, and its reasons for opposing the granting of the application to transfer. During the past year the number of applications greatly decreased, due probably in part to the decreased number of such cases in the Court of Special Sessions, and in part to the fact that the cases in that Court during the year have rarely been of such a character that heavy penalties were anticipated. In 1916–1917 nineteen disorderly house cases were submitted to the Grand Jury, resulting in six indictments. In 1917–1918 only four cases were so submitted, and two indictments found. The transfers in these cases were granted, two each, by Judges McIntyre and Wadhams. Neither of these cases have been tried.

Seven disorderly house cases, involving five hotels and two saloons, came before the Court of General Sessions during the year as a result of indictments in previous years. Of these, one was dismissed on motion, and the other six were tried in April before Judge Malone and a jury. All resulted in verdicts of "Not Guilty." This result naturally strengthens the opposition of the Committee to the granting of transfers in these cases. It is difficult to believe that the result would not have been different if the cases had been tried in the Court of Special Sessions. Convictions might have been expected in at least four, if not in all of these cases. To what is this result, so unfortunate from the point of law enforcement, due? First, to the delay in the trial. In three of the cases the indictments had been found two years before, and of course the evidence was of even earlier date. Second, to the fact that the Assistant District Attorneys assigned to the trial of cases in General Sessions, much less frequently present disorderly house cases as compared with their associates in Special Sessions, and hence are not as experienced in the technicalities of the evidence. Third, to the point made above, the difference between trained and untrained jurists and a unanimous *vs.* a majority verdict.

In 1916 the Committee endeavored to remove part of the advantage gained by the defendant in a successful application for a jury trial by an amendment to the Inferior Criminal Courts Act, providing that in those cases in which a defendant, charged with keeping a disorderly house, is granted a jury trial, the trial shall be upon the "information" filed by the District Attorney, instead of upon an indictment. The amendment proposed by the Committee passed both Senate and Assembly, but although endorsed by the District Attorney and the Police Commissioner and unopposed, at least openly, it was vetoed by the Mayor because he was advised, incorrectly as we believe, that it was unconstitutional.

THE COURT OF SPECIAL SESSIONS

The percentage of convictions in the Court of Special Sessions for all offenses designated as misdemeanors is much higher than in General Sessions, undoubtedly for the reasons stated in the preceding section. The fact that but 104 appeals were taken from the decisions of this Court in 1917, from a total of 3,602 convictions after trial, and that there were but seven reversals out of the 60 cases in which a determination was made by the Appellate Court, indicates the justice of its decisions. Besides these convictions there were 6,155 pleas of guilty, or 9,757 actual convictions out of 14,000 criminal actions determined in this Court during that year.

The Secretaries have endeavored to keep in close touch with the work of this Court, as in it are tried all disorderly house cases, with the exception of the few transferred to General Sessions, and those cases where the alleged acts occurred in a tenement house, which, because constituting a violation of the Tenement House Law are determined in the Magistrates' Courts. The Secretaries again express their appreciation of the co-operation of Chief Justice Kernochan and the associate judges.

Disorderly House Cases

The number of disorderly house cases tried in this court has decreased each year since 1914, in which year there were 406.

In 1917, according to Judge Kernochan's report, there were 142 cases, and in the twelve months of the Committee's year, ending in September, 1918, there were 110 cases. The disposition of these cases was as follows:

Acquitted		37
Convicted—sentences:		
Prison sentences	38	
Fined (Total $400)	4	
Probation	1	
Suspended sentences	13	56
Transferred to General Sessions		4
Bail forfeited		4
Other dispositions		4
Pending		5
		110

Of the thirty-eight jail sentences, thirteen were commitments to the Penitentiary which, under the Parole Commission Law, may mean a detention of three years. The fine as a sentence is opposed by the Committee as inadequate and tending towards a licensing of vice. The number of such sentences imposed during this year, it is gratifying to observe, is very small in comparison with some previous years.

WOMEN'S COURT, MANHATTAN

This Court was established as a separate court by the Inferior Criminal Courts Act of 1910. That Act provided that magistrates should be especially assigned to this court by the Chief City Magistrate. Since its inception it has been the custom of Judge McAdoo to assign four of his associates to preside in rotation in this court. By thus limiting the number it has been possible for the magistrates so assigned to work in co-operation, and because of their frequent sittings to become familiar with the peculiar and special conditions surrounding the work in the court. While it

has not been possible for Judge McAdoo to assign the same four magistrates year after year, there has rarely been more than one change each year. It has, however, become increasingly difficult for him to secure the consent of his associates to this special assignment, because the sessions of this court have been held at night. The establishment of a Night Court was originally advocated to facilitate the speedy trial of women charged with prostitution and so relieve them from the burden of securing bondsmen, it being believed that there was a system of petty graft involved in the bondsman system, as applied to these women. The investigation reported by the Secretaries last year disclosed a radical change of conditions. At the last session of the Legislature, the Inferior Criminal Courts Act was amended to vest in in the Board of Magistrates power to determine whether the sessions of the Women's Court should be held during the day or at night, and acting under this authority the Board resolved to substitute a day session. Since the night sessions had always been held in the same room in which there was a day session of the Magistrates' Court, it became necessary to find new quarters for the Women's Court. After considerable delay the Sinking Fund Commission authorized the Board of Magistrates to use the quarters then occupied by a Municipal District Court, on the second floor of the Jefferson Market Court House. These rooms are immediately over the rooms formerly occupied by the Women's Court, and the rearrangement necessary could be made with small expense. Also, a new connection could be made with the Jefferson Market Prison, which, because located immediately alongside of the rooms of the Women's Court, had in past years been altered to adapt it to the class of cases tried in that court. Unfortunately, but possibly not unexpectedly to those familiar with municipal operations, there has been a long delay in securing the completion of the slight alterations.

Unfortunately, also, Judge McAdoo was unable during the first six months of 1918 to continue the special assignment of four magistrates to the Women's Court, for reasons already stated. Consequently, there was a semi-monthly change of presiding magistrates. In many instances the magistrates assigned had

never sat in this court before, and frequently a week passed before they were at all familiar with the peculiarities of the cases presented to them or the conditions of this court. With the authorization of day sessions Judge McAdoo was again able to secure acceptance of this special assignment from Magistrates Barlow, Cobb, Marsh, and McGeehan, the first three of whom have had much experience in this court.

Prostitution Cases 1917–1918

During the twelve months of the Committee's 1917–1918 year, 1,473 women were charged with soliciting or loitering for the purpose of prostitution in a public or private place other than a tenement, an increase of about 20 per cent. from the preceding year. In the majority of these cases the acts which constituted the offense were committed in public places.

The total number arraigned on the charge of prostitution in a tenement house was 1,020 as compared with 824 in the preceding year. This is an increase of almost 25 per cent. In December and January there were 51 and 59 of these cases respectively, while in August and September there were 102 and 127. To what the increase was due is not certain, but the most important factor is undoubtedly war conditions, as explained elsewhere in this report. The total of prostitution cases from tenements did not, however, equal those in 1915–1916 and is considerably less than in 1914–1915.

Convictions resulted in 75 per cent. of the cases, an increase of 2 per cent. as compared with 1916–1917. Forty-four women were sentenced for an indeterminate period not to exceed two years under the Parole Commission Law. This sentence is imposed where the defendant has previously been convicted twice within six months, or three times within any period of time. The records show a large increase in the number of short sentences; *i. e.*, sentences of less than 30 days, of which there were 210 in 1917–1918, as compared with 96 in 1916–1917. This was due in part to lack of co-operation between the frequently changing magistrates and to an increase of first convictions, as shown by the identification records.

The Inferior Criminal Courts Law, Section 89, excludes defendants convicted of prostitution in tenements from the disposition of a suspended sentence and probation. Efforts made in 1916 and 1917 to so amend the law as to permit probation in these cases were unsuccessful. Without power to place upon probation in these cases, the magistrates have had recourse to imposing sentences of one day, which means detention only until court adjourns. One-day sentences were imposed in 1917–1918 in 103 cases, as compared with 70 cases in the preceding year. While this disposition is in many respects unsatisfactory, it is the best possible in the cases of the young and less hardened offenders, who might be seriously injured by a term in the work house and association there with hardened prostitutes.

"First Offenders"

The proportion of those convicted for the first time has continued to show an increase. This is not unanticipated in view of the days through which the community has been passing. It represents, however, a very serious problem and one which has not as yet been solved. Until the proportion of so-called first convictions has been reduced, the work in the Night Court is more or less discouraging, except as one appreciates the great value of rescuing the indiviual. From the figures themselves it seems much like pouring water through a sieve. Each year a thousand to fifteen hundred women are convicted in this court for the first time. Where do they come from, and what is the cause of their degradation? Cannot more be done to prevent it?

Prostitution in Tenements

The Committee has kept for many years a card catalog of the cases of the persons charged with violation of Article 8 of the Tenement House Law, "vagrancy"—prostitution in tenements. This file is arranged according to the location of the premises in which the violation occurred or was alleged to occur. This record was begun in order that repeated violations at the same address might be known, and it is from this record that the information was gathered which is given in an earlier report of repeated violations

in the same tenement houses. These records show that during the year there were arrests for this offense in 673 different tenements, and that in 24 of these there was a second conviction within six months. This second conviction makes the owner liable for a penalty of $1,000.

There were, however, only three tenements where, from the convictions during the year, it was evident that a serious condition of prostitution existed. One of these was on the West Side, near the old negro section in Thirty-seventh Street; one on Lenox Avenue near 135th Street; and one on West 147th Street. In earlier reports, special reference was made to the penalty case brought by the City against the Equitable Realty Co. as owner of the tenement, 319 West Seventeenth Street. While the City was successful in securing a lien against the property, it was unable to collect, since the property, when sold on foreclosure, was bought in by the holder of the first mortgage. Fortunately, he was a business man of standing and the character of the house has entirely changed.

These records also show the transfer from one part of the city to another of the activity of prostitutes. During the last year the decrease in the number of cases in the First Police Inspection District, in which is included the lower East Side, was continued, there being but 83 cases in 1917–1918 as compared with 245 cases in 1915–1916. On the other hand, there was a decided increase during the year in the Sixth Inspection District, in which is included that part of the city between 110th Street and the Harlem river east of Fifth Avenue. In the former district, 57 of the 83 women arrested for prostitution in a tenement were by their own admission of foreign birth, while in the Harlem district 137 of the 240 defendants were negroes.

Excise Department

The Legislature of 1918 passed two amendments to the Liquor Tax Law which were of value to the Committee, especially in connection with its work with the War and Navy Departments Commissions. The more important of these prohibited the sale of liquor to men in uniform, including the members of the State

Guard. The insufficiency of the amendment in practice, and the difficulties of its enforcement, are fully reported in the section on Vice Conditions in War Days (p. 24). The other amendment corrects an omission in the Newton Law, an Act passed late in the session of 1917, by providing penalties for violations of it. This Act empowers the Excise Commissioner, on recommendation from the Mayor or other authority of a locality, to order the discontinuance of the sale of liquor in the vicinity of camps, ship-yards, munition factories, etc. He may also restrict the sales both as to hours and manner. The amendment of 1918 proved most fortunate since the powers of the Excise Commissioner under the Newton Law were invoked to a considerable extent and to a great advantage. Details of this use in New York City and vicinity are reported on p. 28.

The continued repression of vice in New York City made it unnecessary for the Excise Commissioner to direct any considerable attention to saloons and hotels. Ten years ago conditions were different, and the work of the agents of the Excise Department was of particular interest to the Committee. The law penalizing premises certificated to traffic in liquor where such traffic is conducted in a disorderly manner was most effective in securing the present improved condition. A good illustration of the workings of the law and of the value of co-operation between the local Police Department and the State Excise Department is the case of Holliswood Hall, reported on p. 61. From the number of bond actions brought by the Excise Commissioner it is evident that his agents are constantly investigating conditions, but practically all of the actions resulting from these investigations are for what, from the Committee's point of interest, are minor violations, Sunday sales, open door, screens, etc. In the case, however, of actions to recover the penalty of the bond, $1,800 in New York City, the loss is the same, regardless of the seriousness of the violation. Because of this fact, the Commissioner was able to so punish the proprietors of some half dozen places of ill repute, although his agents were unable to get evidence of prostitution or gambling on the premises.

Fewer Hotels and Saloons

The number of hotels certificated to sell liquor in October, 1918, was considerably less than the year previous, the number and decrease being:

Hotels:		*Decrease*
New York County (Manhattan)	417	46
Bronx County	81	31
Kings County (Brooklyn)	189	46
Queens County	210	56
Richmond County (Staten Island)	120	40
Total	*1,017*	*219*

This is a reduction of 16 per cent. The proportionate reduction in the number of saloons was even greater:

Saloons:		*Decrease*
New York County (Manhattan)	2,783	543
Bronx County	444	149
Kings County (Brooklyn)	1,518	529
Queens County	690	237
Richmond County (Staten Island)	155	65
Total	*5,590*	*1,523*

This is a reduction of 24 per cent. The reduction is less in Manhattan than in the residential boroughs of the city, both of hotels and saloons, but particularly less of the former. This is undoubtedly due to the fact that the large commercial hotels are located there while the hotels in the other boroughs are of the saloon type, whose successful operation is dependent upon profitable bar business, which has been the exception rather than the rule during war days.

Business Interests

The co-operation of the brewers and surety companies with the Committee in its efforts to suppress commercialized vice resorts has continued without let or hindrance. Indeed, it was

an inquiry from a brewer as to why that co-operation had not been effective in closing a certain assignation hotel which led to the action of the police reported elsewhere (p. 38), which has contributed so largely to the improvement in hotel conditions. With the suppression of the open vice resort, certificated to sell liquor, this co-operation does not become of less value, as might be anticipated. It is based on the financial control which the brewer usually holds over places where his product is sold, and on the requirement of the Liquor Tax Law that every certificate holder shall give a bond for compliance with its regulations. The surety companies, co-operating with the brewers and this Committee, refuse to write the bonds for those applicants who have been disapproved by the other co-operators. In practice, the Committee prepares a list each year of all certificated premises, which investigations prove to have been conducted in an unsatisfactory manner. This list it files just prior to the issuance of the new certificates with Sam S. Brewer, Secretary of the Brewers' Board of Trade, and with Albert E. Sheridan, Agent of the Excise Re-Insuring Association. The proprietors of the places so listed naturally seek removal from the list that they may not be compelled to deposit cash with the Excise Department in lieu of the surety bond. As it is the policy of the Committee not to force the closing of a place or the penalization of the proprietor by requiring a deposit of cash in lieu of a bond, these proprietors are seen by the Secretaries, and their excuses or explanations of past failures considered with a view to a more satisfactory arrangement for the ensuing year. The greatest difficulty encountered is the impossibility of devising a general rule to fit all cases. Each case must be considered on its merits and peculiarities and treated accordingly. It is only when the Secretaries are satisfied that the proprietor does not desire or intend to conduct a decent place or is incompetent to do so, that they refuse to withdraw the protest made to the surety companies.

Should the promises made not be kept, the Committee notifies the brewer financing that place, asking that the delinquent be sent to the Secretaries for admonition and caution. If this fails to secure the desired improvement, the brewer is asked to remove

the liquor tax certificate, over which he has control through having advanced part of the tax. Where the brewer has not this control, which is occasionally the case, the proprietor is cautioned by the surety agent that if there is not an immediate improvement, application for a bond will be denied in the future. It is unfortunate that the surety company cannot withdraw from the bond, but the law makes no provision for such action. If there were such a provision it would be of great assistance in increasing the effectiveness of the co-operation of the surety companies.

"Probation" Cases

In August, 1918, the Committee's list of protested places sent to the brewers and surety companies contained about 300 addresses. This was a considerable reduction from preceding years, but the Secretaries felt that only the more important cases should be on the list in a year when the war had created uncertainties of great seriousness. Would or would not the Prohibition Amendment to the Federal Constitution be adopted during the coming year? Would the War-time Prohibition Resolution pass Congress and be signed by the President? Would the Food Administration rescind its order and permit the brewing of beer? Would the war be over, and, if so, would conditions and regulations be as in prewar days? These are vital matters to the brewers as compared with violations of promises, or failure to maintain proper conditions on certificated premises. The moderation of the Committee in the preparation of the Protest List was recognized, and the co-operation given the Committee was as hearty as in former years. Occasionally some brewer's representative would plead that it might be the last year and for that reason "don't be so hard," but even when made this plea was hardly more than a formal one.

In 1917 the great majority of the proprietors who were forced by the co-operation to deposit cash in lieu of a surety bond, conducted hotels patronized by "transient couples." The reduction in the number of these hotels has already been reported (p. 57). Of the nine proprietors who deposited cash this year, there were four who had failed to keep their promises of the preceding year, and who could not satisfy the Committee's Secretaries that

they would do better in the coming year. In a number of cases the Secretaries while willing, upon the brewer's guarantee, to give the proprietor another chance, yet thought it desirable to exact some penalty for the failure to keep the promises previously made. In such cases the proprietor was given the option of closing for a few days, or of making a contribution to the Red Cross. (In proposing this latter penalty, the Committee's Secretaries followed the example of the Food Administration.)

Brooklyn and Queens

Women charged with prostitution in the Borough of Brooklyn are arraigned at the Night Session of the Adams Street Court. During the twelve months ending September 30, 1918, 342 women were so arraigned, 127 charged with a violation of the Tenement House Law, and 215 with street soliciting. These figures are approximately the same as those of the preceding year. It is unfortunate that the plan has not been adopted in Brooklyn, so long successful in Manhattan, of assigning special magistrates, interested in the problems involved to sit at the Night Session. While the number of cases in Brooklyn is very much less than in Manhattan, the proportion of those not previously convicted is much larger, and it is this class of case which requires experienced and sympathetic determination.

Reference was made in the Committee's last Annual Report to the reversal by the Court of Appeals of the case of Alfred Richardson, convicted of keeping as a disorderly house the hotel at 20–22 Smith Street. Unfortunately District Attorney Lewis, although willing to retry the case despite the difficulties involved, has been unable to subpœna certain material witnesses for the People, and hence this case is still pending.

Thanks to vigorous police work vice, in the neighborhood of the Navy Yard as in the borough generally, has continued to be satisfactorily repressed. An exception to this rule was, however, found in the case of certain saloons in the Bushwick section, which had become the resort of prostitutes and perverts. While it proved impossible for the police to get the necessary criminal evidence to cause the arrest and conviction of the guilty parties, nevertheless,

through police and Committee action the condition has been greatly improved.

Disorderly Hotels

During the year there were two disorderly house cases in Queens which were of special interest. One of these places had long been known to the police and the Committee. Two convictions for keeping the hotel as a disorderly house had previously been secured, and the bonds given by the proprietor in connection with his liquor tax certificate had been forfeited. After the second conviction the property was bought by a saloon-keeper of good reputation. An application was made to the Committee to withdraw its protest to the surety companies against the writing of another bond. As a condition of such action the Secretaries asked that the upper floors of the building be converted into flats, so that the probability of their further use for immoral purposes might be lessened. It was strongly urged by counsel for the new proprietor that, as he was the owner of the property and a man of good reputation, this was an unreasonable requirement. Accordingly, although with considerable reluctance, the protest was withdrawn. Later experience proved that the fears of the Secretaries were justified, for in the Spring of 1918 the proprietor himself was arrested, charged with keeping a disorderly house. Some weeks later he was convicted of this crime in the Court of Special Sessions. This experience strengthened the opinion of the Secretaries, that, where a hotel has been used for immoral purposes for a considerable length of time, it is extremely difficult to prevent a continuance of the immoral use, unless the building is remodelled and used in other ways.

The second case involved a roadhouse. Evidence secured by officers of the Special Squad attached to the Brooklyn Police Headquarters proved conclusively that the owner had knowledge of the immoral uses for which his rooms were being rented. The case was dismissed by the magistrate, who held that the police witnesses, having brought the women to the premises, were themselves guilty of making it a disorderly house. The case was later submitted to the Grand Jury, which indicted the proprietor.

On trial before a petit jury the defendant was acquitted. The affidavits in the case were then sent to the Excise Commissioner with the request that he bring action to revoke the liquor tax certificate, forfeit the bond, and penalize the premises under the provisions of the Liquor Tax Law. On the trial in Special Term, which is held by one judge, without a jury, the certificate holder was found guilty of permitting the premises to be used as a disorderly house. From this finding an appeal was taken, but the Appellate Division affirmed the decision of the lower court.

Submitted

FREDERICK H. WHITIN,
General Secretary

PETER J. MALLON,
Assistant Secretary

December, 1918

VI

REPORT OF APPROPRIATIONS AND DISBURSEMENTS BY THE TREASURER FOR THE FISCAL YEAR 1917–1918

FOR GENERAL PURPOSES

Current Appropriations:		
Contributions applicable to the year and interest on balance		$14,446.72
Contributions for Brooklyn work		772.00
Total		*$15,218.72*
General Disbursements:		
Salaries, Executive	$5,416.66	
Clerical	1,682.50	
Rent	826.66	
Stationery	292.35	
Telephone	271.43	
Carfare	97.60	
Postage	208.82	
Miscellaneous	232.61	$9,028.63
Investigation:		
Manhattan	$1,151.05	
Boroughs	222.94	
Special	577.21	1,951.20
Brooklyn Disbursements:		
Clerical Assistance	$562.00	
Investigation	431.59	
Miscellaneous	2.50	996.09
Special Disbursements:		
Annual Report		280.95
Total Disbursements		$12,256.87

Appropriations, transferred to Camp Conditions Fund—expenditures reported separately	$1,500.00
Current Appropriations as yet unexpended	1,461.85
	$15,218.72

FRANCIS LOUIS SLADE, *Treasurer*

We have had examined the vouchers and checks for the above contributions and disbursements and they have been found correct.

Signed, GEORGE HAVEN PUTNAM,
PERCY S. STRAUS,
Committee on Audit

SUPPLEMENTAL REPORT

CAMP CONDITION FUND

Receipts:

Special Contribution, August, 1917		$5,000.00
Special Appropriation		
September, 1917	$1,611.67	
September, 1918	1,500.00	3,111.67
		$8,111.67

Disbursements:

Investigation Expenses	
May 14–September, 1917	$2,445.00
October, 1917–September, 1918	5,011.80
Balance Unexpended	654.87
	$8,111.67

CONTRIBUTORS 1917–1918

NEW YORK

Alger, George W.	$25.00
Anonymous	100.00
Baldwin, Mrs. Ruth Standish	50.00
Benjamin, Morris W.	10.00
Borg, Sidney C.	100.00
Brewster, Robert S.	500.00
Brown, Rev. William Adams, D.D.	100.00
Burke, Thomas P.	3.00
Carnegie, Andrew	500.00
Colgate, William	25.00
Collins, Charles	20.00
Dodge, Cleveland H.	500.00
Douglas, James	10.00
Emmons, Arthur B.	10.00
Ford, James B.	1,000.00
Fox, Hugh F.	20.00
Frank, Alfred	10.00
Frissell, Algernon S.	20.00
Glenn, Mrs. John M.	10.00
Grace, Joseph P.	500.00
Hazard, Mrs. Barclay	5.00
Henderson, Mrs. Edward C.	5.00
Hoe, Mrs. Richard M.	15.00
Hopping, A. Howard	2.00
Hoyt, John Sherman	25.00
James, Arthur Curtiss	2,500.00
Jennings, Walter	100.00
Johnson, James W.	25.00
Kingsley, William M.	25.00
Kunhardt, Wheaton B.	10.00
Langdon, Woodbury G.	25.00
Lee, Frederic S.	10.00

Lewisohn, Adolph	$50.00
Lewisohn, Sam A.	100.00
Lyman, Frank	10.00
Lynch, Frederick	10.00
"M"	5.00
Macy, Mrs. V. Everit	100.00
Marks, Marcus M.	5.00
Marshall, Louis	25.00
Mason, George G.	250.00
Morgan, Mrs. John B.	5.00
Morgan, William Fellowes	10.00
New York Foundation, The	500.00
Olcott, Mrs. E. E.	5.00
Openhym, Wilfred A.	5.00
Osborn, William Church	50.00
Parsons, William H.	10.00
Pedersen, Dr. James	25.00
Peters, William R.	100.00
Plaut, Joseph	15.00
Post, Abram S.	10.00
Rockefeller, John D., Jr.	2,500.00
St. James' Church	50.00
St. Michael's Church	25.00
Seligman, Mrs. Isaac N.	250.00
Sherman, Charles A.	10.00
Simkhovitch, Mrs. V. G.	5.00
Slade, Francis Louis	250.00
Smith, Ormond G.	10.00
Stetson, Francis Lynde	100.00
Stires, Rev. Ernest M.	10.00
Stone, Miss Ellen J.	25.00
Straight, Mrs. Willard D.	500.00
Straus, Percy S.	250.00
Strauss, Frederick	250.00
Thorne, Samuel, Jr.	10.00
Tiffany and Co.	25.00
Todd, Professor Henry A.	5.00
Tuckerman, Alfred	25.00
Villard, Mrs. Henry	10.00
Villard, Oswald Garrison	10.00
"W., Mrs. J. H."	10.00
Warburg, Felix M.	500.00
Woerischoeffer, Mrs. Anna	250.00
Wolff, Mrs. Louis S.	10.00
Zabriskie, Mrs. George	5.00

BROOKLYN

A Friend	$100.00
Childs, William Hamlin	250.00
Low, Josiah O.	50.00
Low, Mrs. Mary T. F.	50.00
Merritt, Mrs. J. H.	5.00
Meserole, Mrs. J. V.	2.00
Pratt, Mrs. Frederic B.	100.00
Sherman, Mrs. Charles E.	5.00
Tousey, Miss Elizabeth	10.00
White, Hon. Alfred T.	100.00
White, Miss Frances E.	100.00

PROFESSIONAL, BUSINESS, AND CIVIC ACTIVITIES OF MEMBERS OF COMMITTEE OF FOURTEEN

ALGER, GEORGE W., Esq. Lawyer. Trustee, City Club. Director, New York Probation and Protective Association. Director, People's Institute. Committee Law Reform, New York State Bar Association. Membership Committee, Association of the Bar of the City of New York. Director, Legal Aid Society.

BACHMAN, Rev. ROBERT, JR. Bureau Municipal Research, 1907–1910. Chairman, Vice Committee, Gramercy Neighborhood Association, 1909–1914. Grace Church, 1911–1914. St. James' Church, 1914–1916. Chrystie Street House, 1905–1916. Director, Committee of Fourteen, 1915–1917.

BALDWIN, Mrs. RUTH STANDISH. President, New York Probation and Protective Association, 1911–1913. President, National League on Urban Conditions among Negroes, 1913–1915. Director, Women's City Club, 1916–1918. Trustee, Smith College, 1906–. Advisory Board, Church of the Messiah, 1918–. Organization Committee New York School for Social Research, 1918–.

BEATTIE, LEE W., D.D. Superintendent, Madison Square Church House, 1903–. Given leave of absence in July, 1918, for work with Y. M. C. A. overseas. Committee of Fourteen, 1905–.

BENNET, Hon. WILLIAM S. Lawyer. Congressman, 1905–1911, 1915–1917. Member, Congressional Immigration Commission, 1907–1910, which made special report on white slave traffic. Director, Travelers' Aid Society. Presbyterian Board Home Missions. Chairman, organization meeting, Committee of Fourteen, 1905.

BROWN, WILLIAM ADAMS, D.D. Roosevelt Professor Systematic Theology, Union Theological Seminary, 1898–. Secretary, General War Time Commission of the Churches. President, Union Settlement Association. Chairman, Committee of Fourteen, 1916–1918.

BURDICK, Professor FRANCIS M. Mayor of Utica, N. Y., 1882–1883. Professor of Law, Hamilton College, 1883–1887. Professor of Law, Cornell University, 1887–1891. Dwight Professor of Law and Member of University Council, Columbia University, 1891–1916. Professor of Law Emeritus, Columbia University, 1916–. New York Commissioner on Uniform State Laws, 1907–. President, Riverside and Morningside Heights Association, 1900–1907. Committee of Fourteen, 1905–.

BUTLER, Mr. EDMOND J. Secretary, Superior Council of the U. S., Society of St. Vincent de Paul. Executive Secretary, Catholic Home Bureau, New York. Vice-President, New York State Probation Commission. Executive Committee National Conference of Catholic Charities. Director, National Travelers' Aid Society. Mayor's Committee on National Defense. Director, Fordham University School of Sociology. Tenement House Commissioner of New York City, 1905–1910. President, New York State Conference of Charities, 1913. President, New York City Conference of Charities and Correction, 1918. Board of Managers, New York City Reformatory for Misdemeanants. Executive Committee, National Conference of Charities, 1913–1914.

CHILDS, Mr. WILLIAM HAMLIN. President, Barrett Company. Director, Society of Prevention of Cruelty to Children, Brooklyn. Director Brooklyn Bureau of Charities. Director, Brooklyn Chamber of Commerce. Director, Broad Street Hospital. Vice-President, Merchants' Association, New York.

COURTNEY, WILLIAM A., D.D. Pastor, St. Brendan's Church Bronx, 1911–1919. Vice-President, Board of Child Welfare. Vice-President, New York State Conference of Charities and Corrections, 1918–1919. Supervisor, Catholic Charities, Diocese of New York, 1917–1918. Director, Catholic Home Bureau, 1918–1919. Vice-President, Travelers' Aid Society, 1918–. Director, Fordham University School of Sociology, 1918–.

DICKINSON, Mrs. ROBERT L. National Board of Y. W. C. A., 1908–. National War Work Council, Y. W. C. A., 1918–. Director, Brooklyn Y. W. C. A., 1889–. Director, National Travelers' Aid Society, 1917–.

DRACHMAN, Rev. BERNARD. Rabbi, Congregation Zichron Ephraim, 1889–. Jewish Welfare Board, 1918. President, Union of Orthodox Jewish Congregation of America. Committee of Fourteen, 1905–.

GLENN, Mrs. JOHN M. President, National Conference of Charities and Corrections, 1915–1916. Chairman, Home Service Section, New York County Chapter, American Red Cross, April, 1917–. Chairman, Committee on Co-operation and District Work, Charity Organization Society, 1910–. Vice-President, Church Mission of Help, 1919.

HAZARD, Mrs. BARCLAY. Treasurer, Inter-Municipal Research Committee, 1908–1909. First Vice-President, Women's Municipal League, 1910–1914. Director, Post Graduate Clearing House Clinic for

Mental Defectives, 1913–1914. President, Florence Crittenton Mission, 1915. Chairman, Board of Directors, Florence Crittenton League, 1916.

LINHERR, Miss CAROLINE C. Big Sisters of the Association of Catholic Charities. Executive Committee League of Catholic Women.

LOW, Mr. JOSIAH O. Banker. Trustee, Polytechnic Preparatory Country Day School.

MCGUIRE, EDWARD J., Esq. Lawyer. Assistant Corporation Counsel, 1902–1903. Assistant District Attorney, 1910–1912. Chairman, Catholic Theater Movement. Vice-Chairman, Committee of Fourteen, 1912–.

MARLING, Mr. ALFRED E. Real Estate, Horace S. Ely & Co. President, Chamber of Commerce. Chairman, International Committee, Y. M. C. A.; Executive Committee, War Work Council, Y. M. C. A.

MENDES, Dr. H. PEREIRA. Rabbi, Spanish and Portuguese Congregation. Founder, Jewish Theological Seminary. Founder, Montefiore Home for Chronic Invalids. East Side School for Crippled Children. Young Women's Hebrew Association.

MENKEN, Mrs. MORTIMER M. President, Sisterhood Spanish and Portuguese Congregation, 1903–. Chairman, Advisory Committee on Correctional Institutions, New York Section, Council of Jewish Women. Director, Inwood House. Courts and Girls Committee, Florence Crittenton League, 1917. Chairman, Night Court Committee, New York City Federation of Women's Clubs, 1917. Committee on Social Service, Community Clearing House, 1918. Courts Committee, Women's City Club, 1918. Jewish Big Sisters, 1913. Committee on Protection of Girls, War Community Service, 1918.

MINER, Miss MAUDE E., Ph.D. Secretary, New York Probation and Protective Association, 1908. New York State Probation Commission, 1918. New York Committee on Feeblemindedness. New York Consumers' League.

MOSKOWITZ, Dr. HENRY. Head worker, Madison House, 1898–1915. Chairman, New York City Civil Service Commission, 1913–1917. Assistant Leader, Ethical Culture Society. Secretary, Joint Board of Sanitary Control, Women's Garment Industry, 1911–. Secretary, Board of Arbitration, Cloak and Suit Industry, 1911–1916. Industrial Consultant, Submarine Boat Corporation, 1918–.

MOSKOWITZ, Mrs. HENRY. Chairman, Committee on Amusement and Vacation Resources for Working Girls, 1908–1914. Director, Travelers' Aid Society, 1910–. Director, Council of Jewish Women,

State of New York, 1916. Secretary, Mayor's Committee of Women on National Defense, 1917. Secretary, Reconstruction Commission of the State of New York, 1919–.

PEDERSEN, JAMES, M.D. President, Society of Sanitary and Moral Prophylaxis, 1914. Faculty, New York Post Graduate Medical School and Hospital. New York Academy of Medicine.

PETERS, JOHN P., D.D. Rector, St. Michael's P. E. Church, 1893–. President, ex-officio, Bloomingdale Clinic. Canon and Trustee, Cathedral of St. John the Divine, 1904–1910. Trustee, Protestant Episcopal City Mission Society, 1906–. Trustee, Hobart College, 1903–1914. Trustee, Sheltering Arms, 1894–. Trustee House of Rest and Hospital for Consumptives, 1897–. Social Service Committee Diocese of New York, 1912–1916. Social Service Commission of the Protestant Episcopal Church, 1918–. Social Service Committee of Federated Council of Churches. President, West Side Independent Club, 1896–1916. President, Transit Reform Committee of 100. Charter Member of the City Club. Chairman, Committee of Fourteen, 1905–1916.

PRATT, Mrs. FREDERIC B. Director, Brooklyn Y. W. C. A. Finance, Hostess House and Salary Committees, War Council of the National Y. W. C. A. Ways and Means Committee, Brooklyn Free Kindergarten Society. Director, National League for Women's Service.

PUTNAM, Mr. GEORGE HAVEN. Publisher. President, American Rights League. President, American Free Trade League. Chairman, Executive Committee, English-Speaking Union. Secretary and Executive, American Publishers' Copyright League. Commander, U. S. Loyal Legion, N. Y. Commandery. Charter Member, City Club. Committee of Fifteen, 1900–1902. Committee of Fourteen, 1905–.

REYNOLDS, JAMES BRONSON, Esq. Lawyer. Head worker, University Settlement, 1894–1901. Governor Roosevelt's New York State Tenement House Commission, 1898–1900. Secretary to Mayor Low and Chief of Bureaus of Marshals and Weights and Measures, 1901–1903. President Roosevelt's Investigator of Immigration Service. Chairman, President's Industrial Commission, Panama, 1906–1908. Governor Hughes' New York State Immigration Commission, 1908–1909. Special Assistant in Charge of "White Slave" Grand Jury and Chief, Bureau of Complaints, District Attorney's Office, 1910–1913. Counsel and Chairman, Executive Committee, American Social Hygiene Association, 1913–1916. Vice-President, Institute of Criminal Law and Criminology, 1917–1918. Chair-

man, Executive Committee, Voluntary Defenders Committee, 1917–.

SIMKHOVITCH, Mrs. V. G. Director, Greenwich House, 1902–. Director, Parks and Playgrounds Association. President, New York Association Neighborhood Workers. Member, Joint Social Service Commission of the Protestant Episcopal Church. Signer, call for organization meeting and member, Committee of Fourteen, 1905–.

SLADE, Mr. FRANCIS LOUIS. Manufacturer. Treasurer, Permanent Fund Babies' Hospital, City of New York. Chairman, Finance Committee, and Vice-President, West Side Branch Y. M. C. A. Member, Executive and Finance Committees, National War Work Council, Y. M. C. A., 1918–. Officer, Old First Presbyterian Church. Secretary, Board of Trustees, Madison Square Church House. Treasurer, Phelps Stokes Fund. Treasurer, Committee of Fourteen, 1909–.

STRAUS, Mr. PERCY S. Merchant, R. H. Macy & Company. Vice-President, Jewish Agricultural and Industrial Aid Society, 1909–. Chairman, Committee of Fourteen, 1918–.

SWAN, Captain EUGENE L., M.D., S.C., U.S.A. President, New York Social Hygiene Association, 1916–1917. Lecturer, Social Hygiene Division, Surgeon General's Office, 1917–1919. Committee of Management, Central Branch Y. M. C. A., Brooklyn. Member, General Camp Committee, Boy Scouts of America, 1919.

VEILLER, Mr. LAWRENCE. Director, Department for the Improvement of Social Conditions, Charity Organization Society. Secretary, Committee on Criminal Courts, Charity Organization Society. Secretary, Association of Tuberculosis Clinics. Secretary and Director, National Housing Association. Secretary, City Club, 1904–1906. Committee of Fourteen, 1905–.

WHITIN, Mr. FREDERICK H. General Secretary, Committee of Fourteen, 1906–. Chief Deputy, State Superintendent of Elections, 1910–1911. Trustee, City Club, 1914–. Chairman, Local Draft Board 134, New York City, 1917–.

THE COMMITTEE OF FOURTEEN
IN
NEW YORK CITY

ANNUAL REPORT
1918-1919

Organized, 1905
Incorporated, 1907
Re-organized, 1912

27 East 22nd Street
New York City

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THE COMMITTEE

1918–1919

Mr. George W. Alger
Hon. Charles W. Appleton
Rev. Robert Bachman, jr.
Mrs. Ruth Standish Baldwin
Dr. Lee W. Beattie
Hon. William S. Bennet
Commander Miss Evangeline Booth
Dr. William Adams Brown
Prof. Francis M. Burdick
Mr. Edmond J. Butler
Mr. William Hamlin Childs
Rev. William A. Courtney, D. D.
Mr. James S. Cushman
Mrs. Robert L. Dickinson
Dr. Bernard Drachman
Mrs. John M. Glenn
Mrs. Barclay Hazard
Miss Caroline Linherr
Mr. Josiah O. Low
Mr. Edward J. McGuire
Mr. Alfred E. Marling
Dr. H. Pereira Mendes
Mrs. Mortimer M. Menken
James Alexander Miller, M. D.
Miss Maude E. Miner
Dr. Henry Moskowitz
Mrs. Henry Moskowitz
James Pedersen, M. D.
Dr. John P. Peters
Mrs. Frederic B. Pratt
Mr. George Haven Putnam
Mr. James B. Reynolds
Mrs. V. G. Simkhovitch
Mr. Francis Louis Slade
Mr. Percy S. Straus
Eugene L. Swan, M. D.
Mr. Lawrence Veiller
Mr. Frederick H. Whitin

ELECTED OCTOBER 28TH, 1919

Mr. Herbert L. Bodman
Mr. Walter G. Hooke

1918–1919

OFFICERS OF THE COMMITTEE

Honorary Chairman . . . . . Dr. John P. Peters
Chairman . . . . . Mr. Percy S. Straus
Vice-Chairman . . . . . Mr. Edward J. McGuire
Treasurer . . . . . Mr. Francis Louis Slade
Secretary . . . . . Mr. Frederick H. Whitin
Executive Secretary . . . . . Mr. Walter G. Hooke
(on leave of absence)
Assistant Secretary . . . . . Mr. Peter J. Mallon

Directors

Mr. Percy S. Straus, *Chairman*

Mr. George W. Alger
Hon. William S. Bennet
Dr. William Adams Brown
Mr. Edmond J. Butler
Mrs. Robert L. Dickinson
Mrs. John M. Glenn
Mr. Josiah O. Low
Mr. Edward J. McGuire
Mrs. Henry Moskowitz
James Pedersen, M. D.
Dr. John P. Peters
Mr. Francis Louis Slade

Law Committee

Mr. Edward J. McGuire, *Chairman*
Mr. George W. Alger
Hon. William S. Bennet
Prof. Francis M. Burdick
Mr. Lawrence Veiller

Brooklyn Committee

Mr. Josiah O. Low, *Chairman*
Mr. William Hamlin Childs
Mrs. Robert L. Dickinson
Mrs. Frederic B. Pratt
Eugene L. Swan, M. D.

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I
REPORT OF THE CHAIRMAN

After War Days

The fears of last year that demobilization would be accompanied by a relaxing of the vigorous enforcement of the laws against vice were not realized. While the nights of the armistice celebrations were far from orderly, the nights of the holidays incident to the parade of the returned New York City divisions were without excesses.

For awhile there was evidence of increased intoxication of men in uniform, but with the prompt amendment of the State Liquor Tax Law to include among those to whom liquor should not be sold, any man in army or navy uniform, even if wearing discharge stripes, conditions returned to normal. Vice conditions when the men returned from overseas were better than during the mobilization and training period. Those from the small cities and towns who came through New York on their way overseas saw here, for the first time, metropolitan vice conditions, and with the uncertainties of the days ahead of them were peculiarly subject to temptation. When they returned, having faced death as a daily occurrence and sobered by the need of returning to the problem of earning a livelihood, theirs was a different mental attitude.

Vice Conditions

Vice conditions generally have not changed; the gain in the closing of the assignation hotels, reported at some length last year,—a gain secured as the result of co-

operation between the police and the brewers—has not been lost. There are still some hotels where the casual man and a woman can get a room, but not only are they few and scattered, but the unknown couple, especially if without baggage, finds it hard to secure temporary accommodations. While the police have not made any drive against these hotels, as they did last year, they have continued to more or less frequently observe them so that their proprietors know that active suppression will again be started should their actions justify it.

Street Soliciting

Improved street conditions have been maintained. The number of prostitution cases in the Women's Court continued high until the summer months. The reduction in the number of these cases from 303 in April to 86 in July was due, not so much to the reversals of certain convictions, as to the remarks by some appellate judges when announcing their decisions. The police were criticised for failure to produce as a witness the man whose testimony the appellate judge deemed material, although it is extremely doubtful whether the police have any power to compel the attendance of this witness. He might be arrested, charged with vagrancy, but whether such a charge would lie against him is still an unsettled point. In one instance the remarks of the appellate judge resulted in the Police Commissioner putting the arresting officer on trial. The General Secretary will report at length on these reversals and on his study of the judgments of the appellate judges on appeals from convictions by the magistrates. It appears to your Chairman that there is need for a change in this procedure, or a better understanding between the appellate judges and the magistrates.

Police Policy and Co-operation

The unwillingness of the Mayor to have his Commissioners co-operate with volunteer civic organizations has created for the Committee a new situation. The Committee had hearty co-operation in the past from Police Commissioners McAdoo, Bingham, Cropsey, Waldo, McKay and Woods, and had been led to believe that this co-operation was effective in enabling it to render valuable assistance to the Commissioners.

There were reports, current in the underworld, that vice repression would cease. That however has not occurred. Those reports were most frequent shortly after the demotion of Inspector Costigan. The Inspector had, for many years and under many Commissioners, been in charge of a Headquarters Vice Squad and his activity was greatly feared by the law breakers. The reasons given by Commissioner Enright for the demotion were not satisfactory to the public, if the attitude of the press can be taken as the expression of public opinion.

To his place Commissioner Enright assigned Thomas McDonald. Inspector McDonald had for many years been in charge of the vice squad covering Brooklyn and Queens, and his work in improving conditions in those boroughs has been well known to the Committee. The energy and faithfulness which accomplished the results in Brooklyn are now being applied by Inspector McDonald in the larger and more difficult field of Manhattan and the whole city.

Another reason for the renewal of the hopes of the underworld was the public protest by the Mayor to the activities of Assistant District Attorney Smith. No assistant in the District Attorney's office of New York County is as much feared by the commercial vice profi-

teers as Mr. Smith, with his long list of successful prosecution of offenders, large and small.

There appears to be a growing belief that there is a loss of morale in the Police Department. Those who make this claim attribute it to many things. If the belief be justified, your Chairman is of the opinion that the loss is in a measure due to the constant criticism of the Commissioner by the press, seldom relieved by any recognition of work well done. The members of the force cannot but be affected thereby.

Disorderly Resorts

The statement that the repression of vice has continued does not imply total repression. While saloon conditions have been satisfactory generally, there have been a few scattered about the city in which women have been found soliciting more or less surreptitiously, or in which women are introduced to men for immoral purposes. Against the worst of these the police have proceeded. A most interesting case on upper Broadway will be reported by the Secretary in detail (see p. 40).

The special police squads continue their endeavors to apprehend those hotel employees who secure women for male guests.

Prostitution continues to be found on the East Side, but it is noticeable that many of these women do not receive their customers after 5 P. M., or that they are constantly on the move, so that their apprehension is very difficult.

Brooklyn

There were two important cases in Brooklyn during the year, of which the Secretary will report in detail (see

p. 35). The continued prosecution of Alfred Richardson by District Attorney Lewis is worthy of special commendation.

Legislation

Three amendments were made by the Legislature in 1919 to those statutes which affect the Committee's work. The amendment to Subdivision 4 of Section 887 of the Code of Criminal Procedure was so important that I have asked the Secretary to report upon it in full (see p. 16).

Protest List

The approaching constitutional prohibition and the generally satisfactory conditions in saloons and small hotels led the Committee to greatly limit this year its so-called Protest List. This list was the basis of the annual co-operation between the Brewers, the Surety Companies and the Committee, which has existed for so many years. Protest was made only against the issuance of bonds to those places which experience had shown could not be improved through this co-operation.

Sub-Committee

At the last meeting of the Committee before the summer vacation, a special committee was appointed to study the possibility of co-operation between all the societies dealing with prostitution. That committee is prepared to report and I trust that action will be taken upon its recommendation.

Co-operation

During the year the Committee's Secretaries and investigators have been able to render considerable assistance to other organizations, especially to the Committee of Twenty in Utica and the Committee of Sixteen in Montreal. The Executive Secretary of the Utica Committee was William O. Jones, a New York police officer, experienced in vice work, who had been recommended by this Committee. His recall from Utica by Commissioner Enright was much regretted, for Jones had been doing most effective work. The Montreal situation is serious—flagrant, open vice is not suppressed. The point of view of the public there towards this evil apparently is at variance with that generally maintained in "the States" today.

Despite the many calls upon the Committee's contributors, their support has continued and the full amount of the budget adopted at the last annual meeting was raised.

Committee Changes

During the year Charles W. Appleton, formerly a City Magistrate, Commander Evangeline Booth, of the Salvation Army, Mr. James S. Cushman and Dr. James Alexander Miller, accepted membership on this Committee; this makes our total membership at present thirty-seven.

Mr. Peter J. Mallon, who was Assistant Secretary from July 1918, left the Committee in June to accept a more remunerative position. While the Committee regretted losing the valuable services of a man of his experience and character, it could not quarrel with his decision.

Mr. Hooke, who has been a Committee Secretary since 1910, and who has been on leave of absence since October 1917 for the purpose of acting as Secretary of the special committee on war activities of the National Catholic War Council, has found it impossible to resume his former position. This is greatly to be regretted, for Mr. Hooke has rendered very valuable assistance to the Committee during the many years of his service. No small part of the important legislation affecting the Committee's work, secured in recent years, has been due to Mr. Hooke's successful efforts at Albany.

Future Plans

Plans for the coming year can only be suggested, for, if the pending recommendations in the Sub-committee's report are adopted, they must necessarily affect the Committee's other work. Efforts to obtain legislation this winter are dependent largely upon the co-operation of others. If the Committee is to lead the important work of amending the present procedure on appeals from magistrates' convictions it must work vigorously and at once. The endeavor to secure legislation for licensing hotels and rooming houses, which the Committee recommended last year, was not successful for several reasons. The General Secretary now contemplates a conference with those interested on both sides of this license question before proceeding further. As the property interests involved total a large amount, the proposed legislation must be carefully considered in conference with those interested. The Committee must also bear in mind, in the coming year, that the change of hours of the Women's Court from night to day puts an additional burden on the daylight working hours of the

staff. To be of service in the Women's Court requires frequent visits which heretofore could be made after office hours but now must be during them.

The Effect of Prohibition

The effect of national prohibition upon the Committee's problem cannot thus far be determined. Where state prohibition was in force it had not been found to decrease the social evil. There are, however, indications of changes in the method of plying the trade. Prostitutes, who formerly were found in the rear room of saloons, are now reported to be cautiously seeking customers in certain classes of restaurants. This presents a new evil and great source of contamination. These restaurants are often frequented also by respectable women, whereas the type of saloons which catered to the woman unaccompanied by a man, were shunned by them.

I would also repeat what was said last year: the granting of liquor licenses provided the police with a means of control, directly as well as through the Excise Department and the Courts, of most places of public resort. In the absence of this great instrument, it seems to be necessary to substitute some other efficient form of control of all public resorts by means of public licenses. During the coming year we have great hope that some solution of this serious problem will be found.

PERCY S. STRAUS

Chairman

October 28th, 1919.

II

ANNUAL MEETING

October 28th 1919

The reports of the Chairman and Treasurer were received and directed to be published. The report of a special sub-committee, appointed during the year on co-operation with reformatory institutions, was made and the sub-committee continued to carry out the recommendations. The Secretary submitted an outline of his Annual Report.

Messrs. Herbert L. Bodman and Walter G. Hooke, Executive Secretary of the Committee, 1910-1917, were unanimously elected members of the General Committee. The officers elected for 1919-1920 were as follows:

Chairman, Mr. Percy S. Straus
Vice Chairman, Mr. Edward J. McGuire
Treasurer, Mr. Francis Louis Slade
Secretary, Mr. Frederick H. Whitin

The following Directors were elected for the ensuing year:

Mr. Percy S. Straus *Chairman*	Mrs. Robert L. Dickinson
Mr. George W. Alger	Mrs. John M. Glenn
Hon. Charles W. Appleton	Mr. Edward J. McGuire
Dr. Lee W. Beattie	Mrs. Mortimer M. Menken
Dr. William Adams Brown	Mrs. Henry Moskowitz
Mr. Edmond J. Butler	Dr. James Pedersen
Mr. James S. Cushman	Mr. Francis Louis Slade

III
REPORT OF THE SECRETARY

LEGISLATION

The most important amendment of the laws for the suppression of vice at the 1919 Legislative Session was that of Subdivision 4 of Section 887 of the Code of Criminal Procedure. This section is entitled, "Who are Vagrants" and with the amendments, clauses "e" and "f", reads as follows.

> 4. A person (a) who offers to commit prostitution, or (b) who offers or offers to secure another for the purpose of prostitution, or for any other lewd or indecent act; or (c) who loiters in or near any thoroughfare or public or private place for the purpose of inducing, enticing or procuring another to commit lewdness, fornication, unlawful sexual intercourse or any other indecent act; or (d) who in any manner induces, entices or procures a person who is in any thoroughfare or public or private place, to commit any such acts; or (e) *who receives or offers or agrees to receive any person into any place, structure, house, building or conveyance for the purpose of prostitution, lewdness or assignation or knowingly permits any person to remain there for such purposes; or (f) who in any way, aids or abets or participates in the doing of any of the acts or things enumerated in subdivision four of section eight hundred and eighty-seven of the code of criminal procedure; or* (g) who is a common prostitute, who has no lawful employment, whereby to maintain herself.* (Chapter 502 of the Laws of 1919.)

*New matter in italics.

The amendment was sought to reach more successfully the drivers of cabs and taxis, who permitted their conveyances to be used for immoral purposes. The recent increase of such use is undoubtedly due to the closing of the assignation and disorderly hotels.

As the Committee had been responsible for the introduction of the 1915 amendment of the same section (being clauses "a", "b", "c" and "d"), it was originally the intention that the Committee should seek this amendment. But since the proposed amendment was of a state law and so would have statewide effect, it inter-

ested the War Department Commission on Training Camp Activities, and the Commission's representative, Major William Burnet Wright, secured the introduction of the amendment, the Committee rendering him every possible assistance in securing its passage.

Procedure Amended

Major Wright desired two additional amendments to the same Title of the Code to meet upstate conditions. These, as finally enacted, were:

Sec. 889-a. VIOLATION OF SECTION 887, SUBD. 4; EVIDENCE

In the trial of any person charged with a violation of subdivision four of section eight hundred and eighty-seven of the code of criminal procedure, testimony concerning the reputation of the place wherein the offense occurred or of persons who frequent or reside therein shall be admissible in evidence in support of the charge.

Sec. 891-a. VIOLATION OF SEC. 887; SUBD. 4; COMMITMENT

Any person convicted in a city of a violation of subdivision four of section eight hundred and eighty-seven of the code of criminal procedure, shall be committed by the court or judge to any reformatory or house of refuge or other correctional institution for a period not to exceed three years or to a county jail, penitentiary or other penal institution for a period not to exceed one year, or placed on probation for a period not to exceed three years, provided, in the case of a person infected with venereal disease, such probation shall be granted only upon such terms and conditions as shall insure medical treatment of such disease and prevent the spread thereof, and no girl or woman shall be placed on probation except to a woman probation officer where available. The provisions of this subdivision shall not supersede the provisions of chapter six hundred and fifty-nine of the laws of nineteen hundred and ten or any amendment thereto, relating to the commitment of convicted persons.

The necessary bills were introduced by Senator Walton and Assemblyman Duke, Chairmen respectively of the Senate and Assembly Committee on Codes, and passed both houses.

Protest to Amendments

Objection to the amendment was made before the Governor. The first disclosed a conflict of opinion as

between the Bar Association Committee and those experienced in the actual enforcement of the laws against commercialized vice, while the second was not so much a protest to the proposed amendment as to the amendment previously made in 1915. The Bar Association Committee claimed that as amended the law made fornication a crime and declared that public opinion was opposed to such an extension of the Penal Law. The supporters of the amendment held that this was a misconstruction and pointed to the fact that the 1915 amendment (the law as it stood) had not been so construed or applied.

Governor Smith held a hearing on the bill at which Major Wright and the Secretary spoke in favor of the amendments. The Governor, after deliberating, signed the bill.

Successful Results

The law as amended has fulfilled the expectations of its advocates and so far as known no cases have occurred which support the objection of the Bar Association Committee. The amendments have been found unexpectedly useful as it is now possible to bring cases of renting rooms for immoral purposes under clause "e", which formerly had to be brought under Section 1146 of the Penal Law, a more complicated one. Under this latter it is incumbent upon the prosecution to show directly or circumstantially that the condition is a continuing one, which is sometimes difficult. It is not necessary to prove this under clause "e". An added advantage is that trials for violations of clause "e" are held in the Magistrates Courts, whereas, violations of Section 1146 must be tried in New York City in the Court of Special Sessions. The consequent delay, is always dis-

advantageous to the prosecution. Moreover, an application for a jury trial by means of a transfer of the case to the Court of General Sessions may be made, and, if granted, in practice frequently is the end of the prosecution.

With the suppression of the grossly disorderly resorts, sentences in these cases in "Special Sessions" have rarely been for the maximum of a year in the Penitentiary, so that the maximum of six months for a conviction under clause "e" has not materially changed the length of sentences actually imposed. There are many recent cases of women who rented rooms for immoral purposes in a furnished room house or flat. In such cases the sentences need not necessarily be long to be deterrent. The first conviction under clause "e" to be appealed occurred in Brooklyn. The conviction was affirmed by Judge Dike of the County Court.

The amendment constituting Section 891-a does not apply to New York City; the last sentence of the amendment specifically excluding its application where the Inferior Criminal Courts Act applies. Reports from law enforcement committees upstate indicate that this new section has been of special value in securing a better disposition of prostitution cases.

Other Amendments

The Committee was also interested in two other 1919 amendments. The first was of such immediate need that it became Chapter Two of the Laws of 1919 and provided that liquor should not be sold to persons in the uniform of the United States Army and Navy. The amendment was necessary because it was found that men discharged from the army or navy, although still in uniform, secured liquor and not infrequently appeared drunk in

public places. It was also found that men still in service and in uniform were obtaining liquor by declaring they had been discharged and using the borrowed discharge papers of their comrades. The amendment proved effective and undoubtedly did much to maintain good conditions during demobilization days.

The other amendment was of the Health Law, relating to the detention and examination of persons suffering from venereal disease. This became Chapter 40. The amendment provides that a person suspected of being so diseased "may be detained until the report of such examination is known", the examination being of the blood or secretions. The amendment of 1918 did not provide for such detention and it often happened that the suspected person did not return to take the required treatment. It also provides that the magistrates shall report to the Health Department the arraignment of all persons charged with prostitution; the 1918 law required them only to report those convicted. This change was necessary in order to aid the Health Department to reach adequately those suspected of disease, for 25% of those arrested, charged with prostitution, are ordinarily discharged because of insufficient evidence. These amendments to the Health Law are still the subject of important differences of opinion, and the 1919 law is still to be fully tested.

Both the amendment to the Liquor Law and to the Health Law were introduced at the request of the representatives of the War Department Commission on Training Camp Activities.

Proposed Hotel Law

The Committee was also interested in a bill introduced at the request of the Police Commissioner, providing for

the licensing of hotels. In the Committee's Report for 1918, attention was called to the desirability of such a law in view of the probable loss of police control of hotels under the Prohibition Amendment. Hotels, as such, have never been licensed. Almost all hotels, however, have been licensed to sell liquor and subject to Police and Excise Department control under the Liquor Law. It was also feared that with the impairment of income under Prohibition proprietors might scrutinize guests carelessly. The improvement in hotel conditions reported by the Committee in 1918 was effected while the Liquor Tax Law was operative. The Committee has found that the disorderly hotels most difficult to suppress were those which operated without liquor licenses. The principal reason for this difficulty was that the only penalty which could be imposed was, in all but rare instances, incurred by an employee, who thus became the scapegoat for the management. There seems to be no effective way in which the proprietor and principal can be reached, except through the Injunction and Abatement Law which has been found difficult to apply and hence is but rarely used in New York City.

Unfortunately, however, the Police Department's bill contained some severe provisions and it was strongly opposed by the Hotel Men's Association. Their opposition was based largely upon objections to vesting the licensing power in the Commissioner of Licenses—an appointee of the Mayor—who was to be given a discretionary power which had not been given even to the State Commissioner of Licenses under the Liquor Law. They objected to giving the Police Commissioner concurrent jurisdiction with the License Commissioner. The Association protested that it was unwise and impolitic to put the hotels of the Metropolis, often of the greatest

value, under the control of minor public officials in this manner. The bill did not pass the Legislature.

It is hoped to reconcile the existing differences this year. To vest only administrative power in the Commissioner of Licenses and discretion in the courts seems to provide a way out. These provisions can readily be assimilated to those of the Liquor Tax Law, which were applied frequently with success for many years. Discussion has been had of some provisions in such a bill enabling the hotel proprietor to protect himself from liability for suits for damages on refusing accommodations in suspected cases. The existing provisions of the law are greatly antiquated.

THE COURT OF GENERAL SESSIONS AS AN APPELLATE COURT

A judgment of conviction rendered by a city magistrate may be reviewed by the Court of General Sessions in New York County and by the County Court in the other counties comprising the City of New York, if, in the opinion of the Court, questions raised on appeal should so warrant. The law has so stood since 1884 (See People vs. Parsons 91 Misc. 649; 155 N. Y. Supp. 820). At that time and until 1905, admission to the bar was not a necessary qualification for a police or city magistrate, and it was apparently felt that an appeal from a conviction by such a magistrate might very properly be determined by a single judge of the highest court of original criminal jurisdiction.

Since 1905 no person may be appointed a city magistrate unless admitted to practice at least three years prior to the date of appointment, while there is no legal

qualification provided for a judge of "General Sessions", not even admission to the bar. At present, those appointed or serving as magistrates frequently have had years of service in the criminal courts or on the city magistrates bench, while a political situation may result in the election to the Court of General Sessions or County Court of a lawyer without experience in the criminal law.

This makes possible under the present procedure an appeal from a magistrate of much experience to a judge of "General Sessions" of much more limited experience. The practice of an appeal being determined by an appellate court of but one judge is exceptional. As there are seven judges of this court, differences of interpretation of the law can easily occur.

Amended Procedure

When such differences occurred, prior to 1917, it was difficult to secure a determination of the law, for the People had not the right of an appeal from a reversal of a conviction. To relieve this situation, an amendment was secured in 1917 empowering the District Attorney, where there was such a reversal upon a point of law, to appeal the case to the Appellate Division—a higher court. So far but little use has been made of this power. In the first case so appealed, the reversal by a County Judge of Kings County of a conviction by a magistrate was reversed by the Appellate Division and the conviction sustained. (See p. 35).

While it is now possible for the People to appeal upon technical points of law, there is no provision for an appeal by them upon the evidence submitted, the final determination being still by one judge of "General Sessions". There is still then this difficulty, that the magistrate

before whom the witnesses appeared and who observed their demeanor in testifying, may have his determination set aside by a judge of "General Sessions" who has considered the evidence only on the typewritten record and the arguments of the counsel for the defendant and the District Attorney.

Appeal Difficulties

This difficulty is always inherent in an appeal and in ordinary cases is not of much importance, but where the conviction from which the appeal was taken was for prostitution, the demeanor of the witnesses is of special moment. This is especially true in the case of convictions in the Women's Court. In many of these cases the testimony of the prosecution and defense is in material conflict and the magistrate, through acquaintance sometimes covering many years, with the work of the police officer, gives weight to his testimony. This fact has been appreciated by the judges of "General Sessions", and accordingly, in a number of cases, especially during the last year, when a convicion has been reversed, a new trial has been ordered that the appellate judge may himself see the witnesses and their demeanor in testifying. In practically all of these cases, however, it has been directed that the re-trial of the case shall be before a jury. To this, in theory, objection cannot be made, but in practice it has proved most unfortunate.

In the Committee's earlier Reports attention has been called to the large proportion of dismissals by the Grand Jury in cases where the charge has been keeping a disorderly house despite the fact that the magistrate after a hearing has found a *prima facie* case. Attention has also been called to the small proportion of convictions by the petit juries in those cases in which the Grand Jury

has returned an indictment. Such being the action of the Grand and Petit Juries in disorderly house cases, it is not unreasonable to expect similar action where the charge is only vagrancy and the defendant a woman. So it has proved in practice for in every case but one (See p. 41), where a retrial was ordered, the jury has acquitted the defendant.

Those familiar with criminal proceedings will recognize that where the Appellate Court consists of a number of judges sitting individually, it is not impossible for counsel for the defendant to have this case heard by the judge whom he deems favorably inclined to the points which he will make. While this might be prevented by a strict following of the Code, which requires an appeal to be perfected in thirty days, in practice these cases being deemed of minor importance are not pressed to argument by the District Attorney.

Study of Appeals

It has been believed by some that the appeal procedure should be amended. The Secretary, through the courtesy of District Attorney Swann, was enabled to make a study of the papers which would disclose the facts as to recent cases. During the year 1918 there were about 200 appeals from convictions by the magistrates; 137 of them being in New York County. Of these latter, 132 were decided; 53 being from convictions for prostitution and 79 for other offenses. While the proportion of appeals from all convictions was very small, the relative proportion in the prostitution cases was large. The study showed that the determinations of appeals were not equally divided among the different judges of "General Sessions." While one judge pre-

sided in the Part in which appeals are heard, a few days less than an associate, he decided 52 cases as compared with but five decisions by another judge. The study also disclosed a wide variation between the judges of "General Sessions" in the proportion of affirmances of the convictions by the magistrates. Excluding one judge, because of the few cases on appeal determined by him, this variation was as between 92% and 67%; the average being 73%.

The appellate judge may, though he affirmed the conviction, modify the sentence. This is a very necessary provision, for frequently there are cases where some new circumstance arises and the penalty originally imposed becomes excessive. It is also desirable that some means should be provided for an equalization of sentences, as between the different magistrates.

Modification of Sentences

The modifications were carefully studied. In the case of one magistrate from whose convictions eleven appeals were taken, the convictions were affirmed in ten cases, but in seven of them the sentence was modified. Of the 132 cases determined, in 96 the conviction was affirmed, but in 53 of them the sentence was modified. While modifications are not very material in the ordinary class of case, they have a definite effect if the conviction was of a law against commercialized vice. An extreme illustration of such a modification on appeal is in the case of Jennie Gold. This woman was first convicted for prostitution in 1910, twice convicted in 1912 and again in 1913. She was again arrested on the same charge in 1917 and in January of 1918. She was not tried on these latter

charges, having forfeited her bail, until March of 1918 when she was convicted by Magistrate McGeehan on these former two and on a third charge for an offense in that month. Re-arrested in May and November, 1918, she again failed to appear, forfeiting the bonds given for her appearance. Shortly afterwards, however, she was again arrested and again was tried on three charges. She pleaded guilty to one and was convicted on the other two, again by Magistrate McGeehan, who sentenced her to an indeterminate period not to exceed two years under the Parole Commission Law. The trial of all three cases was on the same night following directly one after the other. The minutes were taken by the same stenographer and were submitted in the same binder to the appellate judge, who was much confused thereby. He affirmed the conviction but modified her sentence to sixty days, saying: "In the light of many contradictions and the confusion appearing in the records, I deem it better to affirm the judgment, but feel that in the interests of justice the sentence imposed must be modified." In December 1919, Magistrate Norris convicted Jennie Gold of prostitution for the eleventh time.

Amendments Considered

Amendments to the procedure involved in these cases have been considered by those interested. There is general agreement that some provision should be made whereby appeals from convictions by magistrates should be determined by a bench consisting of three judges. It is hoped that a general agreement can be reached as to an amendment in time for its consideration and adoption by the Legislature of 1920.

COURT OF SPECIAL SESSIONS

The keeping of a disorderly house is a misdemeanor, and misdemeanors, with rare exceptions, are tried in New York City in the Court of Special Sessions. Hence, the work of this court has been of special interest to the Committee and has been followed very closely by the Secretaries.

During the Committee year, October 1918 to September 1919, there were 84 arraignments in this court upon the charge of keeping a disorderly house, 52 of these being in Manhattan and the Bronx and 32 in Brooklyn. Of the total, 36 were acquitted, 20 in New York and 16 in Brooklyn; the percentage being therefore much larger in the latter borough. Of those convicted, 4 were committed to the Penitentiary for an indeterminate sentence under the Parole Commission Law; 3 were committed for 3 to 6 months, and 17 for periods of 60 days or less. Fines of $50 each were imposed in four cases.

This total is a very great decrease from the 421 arraignments upon this charge in 1911, the first year this Court made a formal report. In 1907 the Committee's Secretary was permitted, through the courtesy of the justices of the Court, to make a study of that year's dispositions of disorderly house cases. The comparison between 1907 and 1918 is of considerable interest, showing as it does the change of sentiment as expressed by the action of the Court toward the Social Evil.

While the decrease in the total number of disorderly house cases is due, chiefly, to improved conditions in the city, to some extent a change in the Tenement House Law has had an effect. That change makes a vagrant one who keeps or maintains a house of prostitution, assignation or ill-fame of any description in a tenement house, as well as the person who commits prostitution. It is anticipated that there will be a further decrease in disorderly house cases in "Special Sessions" because of the 1919 amendment to Subdivision 4 of Section 887 of the Code of Criminal Procedure. (See p. 16).

WOMEN'S COURT, MANHATTAN

The hours of session of the Women's Court have been changed from night to day during the past year. A night court was established in 1907 for the trial of both men and women. Prior to that time those charged with prostitution were arraigned in the court of the district in which the offense occurred. In 1910, following an investigation by the Inferior Criminal Courts Commission, a separate night court for women was established and it was provided that those arrested after the close of the court sessions should be held for the next evening session. Not less important was the provision under the new arrangement that magistrates should not sit in rotation in the Women's Court but be especially designated by the Chief City Magistrate.

The change of hours of session was not made hastily or inadvisedly. An investigation in which the Committee of Fourteen participated showed that the necessity for a night court for women hardly longer existed, since only 20% of the cases were determined on the night of the original arraignment. Also an unfortunate situation had arisen—the court had become a show place in the night life of the city, many persons attending its sessions without any particular interest in the pending cases or in the problems with which the court dealt, being merely morbid sightseers.

The day sessions of the Women's Court are held on the second floor of the Jefferson Market Court House, on the first floor of which is located the Second District Court, where sessions of the Women's Court were so long held. The court room has been newly painted and with sunshine and fresh air and normal hours of session, the atmosphere of morbidness, which was noticed in the old quarters in the evening hours, has been entirely removed.

The Year's Cases

During the Committee year, October, 1918—September, 1919, inclusive, there were 2700 arraignments in the court on prosti-

tution charges, divided as follows and compared with the three preceding years:

	1915–16	1916–17	1917–18	1918–19
Loitering and Soliciting	329	256	372	384
Sub. 2, Sec. 1458, Consolidation Act	667	366	338	134
Vagrancy Sub. 4, Sec. 887, Code of Cr. Proc.	357	620	763	1080
Vagrancy Sec. 150, Tenement House Law	1189	824	1020	1102
Total	2542	2066	2493	2700

This table is of considerable interest, showing as it does the decrease in the number of cases between 1915-16 and 1916-17 and the gradual return to the larger number of cases in 1918-19. The soliciting cases, those in which the evidence is of direct solicitation by the prostitute, have greatly decreased (667-134). This is in accordance with common observation—the prostitute is still to be observed on the street by those who can recognize her but it is equally evident that her actions are no longer aggressive, that she waits to be spoken to by the man, rather than approach the probable customer, as formerly.

The steady increase in the number of vagrancy—Section 887—cases (357-1080) is due to an increasing use of the widened provisions of Subdivision 4 of this section (see p. 16). Many of these arrests have occurred in furnished room houses or in hotels and would have been impossible prior to the 1915 amendment of the section.

Causes Effecting Number of Cases

The total number of cases in 1918-19 would have been materially greater but for certain causes mentioned below. If the average for the first eight months, October to May inclusive, had been continued, the number of cases would have been almost 600 more, a total number which has not been approached in any recent year.

The number of prostitution cases in the court decreased from 303 in April to 83 in July, thereafter increasing slowly to 168 in November. This remarkable decrease was due to the reversals

of convictions in this court by judges of "General Sessions", and their criticism of the police and the police method of securing evidence. Those closely associated with the Women's Court felt that the opinions showed a lack of sympathetic understanding by the judges of "General Sessions" of the problems in the Women's Court, also a lack of knowledge of modern vice conditions and the best method to suppress them. The cases to which the greatest notoriety was given involved the old difficulty of the alleged pure girl. A lawyer who has practiced in the Women's Court for many years and defended many prostitutes, recently declared to the Secretary, in his opinion not five innocent women have ever been convicted there of prostitution.

The Court is frequently called a "slaughter house" by counsel for the defendants, by which they mean the chance of acquittal is very small. The number of appeals would indicate that the characterization is unwarranted.

In recent months 28% of those arraigned in the Women's Court charged with prostitution pleaded guilty. Of those that pleaded not guilty 69% were tried and convicted, making the proportion of pleas of guilty and convictions 75%. From advance figures of the Magistrates' Report for 1918 it appears that the proportion of pleas of guilty was 23% in prostitution cases. The proportion of pleas in the Court of Special Sessions in all classes of cases and both sexes was almost 50% in 1918, while the proportion of those who pleaded "not guilty" and were convicted after trial was 57%. "Special Sessions," like the Women's Court, is frequently characterized by the same term "slaughter house" by lawyers for defendants.

These lawyers probably have in mind the disposition of cases in the Court of General Sessions where the trials are with a petit jury. It should be borne in mind that in this court (General Sessions) it not infrequently happens that the defendant indicted for one crime, pleads guilty to a lesser degree of the same crime, or to a somewhat similar crime for which the maximum penalty is less. This accounts for the large proportion of pleas of guilty in this court. According to the last printed Report (1917) of the Chief Clerk of the District Attorney's

Office, the latest figures available for "General Sessions", pleas of guilty were received in 57% of the cases while verdicts of guilty were rendered in but 7% of the cases, acquittals in 7%, discharges and other dispositions in 29%. The proportion of pleas and findings of guilty by juries was therefore 64% as compared with 72% in "Special Sessions," where the Bench consists of three judges without a jury, while in the Women's Court, with a single judge and no jury, the proportion of pleas of guilty and convictions was in 1917, 74%. This increased proportion is due in part to speedier trials in "Special Sessions" and the Women's Court, delays in trial always being to the advantage of the defendant.

Prostitution in Tenements

The number of so-called tenement house cases, cases of prostitution in a tenement, shows an increase over the preceding year, though the total number is less than in 1915-16, a decrease which probably would not have happened but for causes already stated. These cases occurred in various parts of the city, but chiefly, of course, in the Third, Fourth and Sixth Police Inspection Districts, covering what were known formerly as the lower and upper tenderloin districts and Harlem. The variations in the number of these cases from the preceding year is not material.

From the Committee's record it appears that there was a second conviction from the same tenement house within six months in 53 cases. The second conviction is of importance, because of the provision of the Tenement House Law which makes such second conviction presumptive evidence that the illegal use of the property was with the consent of the owner and if the presumption is not successfully overcome, subjects him to a penalty of a lien upon his property in favor of the city for $1,000.

The tendency previously reported to impose shorter sentences has continued. In but 91 of 783 tenement cases were the defendants sentenced to more than 60 days while 244 were sentenced

to but one day, placed upon probation or committed to reformatory institutions.

In 1915, the Committee unsuccessfully endeavored to secure an amendment to the law so as to permit of probation in tenement house cases. This disposition, however, has been made possible by a 1918 amendment to the Penal Law (Section 2188) which provides that a court or magistrate authorized to impose sentence upon conviction, may suspend sentence or place on probation, if the crime is not punishable by death or life imprisonment. The results of this amendment as applied to tenement house cases has met the expectation of those who advocated the amendment of 1915.

First Convictions

The proportion of those convicted of prostitution for the first time during the year has been 60%, as compared with 52% in 1917-18, while the proportion of those convicted five times or more, commonly referred to as repeated offenders, was 15% in 1918-19 and 12% in 1917-18.

The reason for the increased percentage of "first offenders", especially as compared with the preceding year while the war was still in progress, is not known. The proportion of "first offenders" in cases of prostitution in tenement houses is still considerably larger (14%) than the proportion among the loitering, soliciting or vagrancy cases, and likewise the "repeated offenders" are in a much larger proportion among the street cases. This is not unnatural, as the novice avoids the publicity of the streets.

Police Activity

As the Police Department is organized there are squads of plain clothes men attached to the different inspection district offices, whose duty it is to apprehend particularly violators of the laws against gambling and prostitution. There are also at present two general squads located at Police Headquarters under command of Inspectors Daly and McDonald, with similar

duties. From the records in the Committee's office it has been possible to tabulate the number of cases of violations, Section 150 of the Tenement House Law, made by the different squads and the results:

	Cases	*Convicted*
1st Inspection District:		
Inspectors Costigan and Boettler	83	47
Inspectors Daly and McDonald	10	7
2nd Inspection District:		
Inspectors Conway and Fennelly	12	8
Inspectors Daly and McDonald	4	3
3rd Inspection District:		
Inspector Bolan	132	107
Inspectors Daly and McDonald	82	72
4th Inspection District:		
Inspector Henry	177	102
Inspectors Daly and McDonald	79	60
5th Inspection District:		
Inspectors Morris and Underhill	87	66
Inspectors Daly and McDonald	23	18
6th Inspection District:		
Inspectors Ryan and Cahalane	290	236
Inspectors Daly and McDonald	58	51
7th Inspection District:		
Inspector Walsh	16	10
Inspectors Daly and McDonald	4	3

The total number of these cases gotten by the district men was 797 and convictions were secured in 72%. The Headquarters' Squads made 260 tenement house cases, securing a percentage of convictions of 82. It will be noticed from the table that the percentage of convictions is below the average in the First and Fourth Districts, with both the District and Headquarters' Squads.

Venereal Disease

The Committee followed as far as possible the reports made by the Health Department of the results of the physical examinations as to venereal disease of those convicted in the Women's Court. The proportion of those found to be suffering from venereal disease in an infectious stage is about 45%. It has been noticeable that the percentage of diseased among those not previously convicted in this court, is higher than the proportion found to be diseased in an infectious stage who have been repeatedly convicted.

BROOKLYN

While a change in hours of session has been made in the Women's Court, Manhattan, no change has been made in the Women's Court, Brooklyn, sessions still being held at night. This is because in Brooklyn the court has a second reason for continuance, the acceptance of bail in the cases of arrests after the close of the District Courts. If it were not for this, it is probable that the court, as a special court, would have been discontinued long ago.

The total number of prostitution cases in the court during the Committee year was 273, of which 68 were for prostitution in tenements. The number of street soliciting cases was about the same as in the preceding year, but the number of tenement house cases decreased almost 50%.

An Important Appeal

The most interesting case of the year was probably that of a woman convicted by Magistrate Short of soliciting on Fulton Street; the charge being vagrancy as defined by Clause "a" of Subdivision 4 of Section 887 (see p. 16). From this conviction an appeal was taken which was argued before County Judge J. Gratton MacMahon. The Judge reversed the conviction, saying:

> To sustain this conviction obtained on the sole and unsupported testimony of an officer engaged in such a line of duty and under such circumstances, would be to endanger the fabric of justice by giving undue weight to the inadmissible opinions and conclusions of such prosecuting witness, ignoring completely the testimony of defendant, which until contradicted by legal proof, is entitled to due credit; and would deprive the defendant of the presumption of innocence and the benefit of a reasonable doubt, these legal safeguards which survive the most crushing accusations, and live through every step taken in a criminal trial and are only silenced by a verdict of guilty. And if I may hazard the opinion, it would be establishing an unwarranted and dangerous legal principle.

In this statement it is evident that His Honor overlooked the testimony of the corroborating officer and of a police matron who testified to finding the money, upon the woman's person, which the complaining officer said he gave her.

This case is of interest, because it is the first to be appealed by a District Attorney to the Appellate Division for final decision under a 1917 amendment to the Code, by which, when a conviction by a magistrate is reversed upon the law, an appeal may be taken by the People.

In the Appellate Division the decision of the County Judge was reversed; the Court, in a brief opinion, stating that it was evident that the County Judge had confused the provisions of Subdivision 4 of Section 887, under which the defendant had been convicted, with the provisions of Subdivision 2 of Section 1458 of the Consolidation Act, under which the People must establish that the defendant was a common prostitute or night walker, soliciting in a public place for the purpose of prostitution to the annoyance of the passers-by.

By this decision the defendant was remanded to custody, thereby disclosing that the amendment under which the appeal was taken was defective, inasmuch as the defendant having been acquitted by the County Judge, had been discharged without bail. Though a warrant for her arrest has been issued, her apprehension is very improbable.

Richardson Case

In each of the Committee's Reports since the extension of its effort to the Borough of Brooklyn in 1912, reference has been made to Alfred Richardson, or to the three disorderly or assignation hotels which he conducted. In 1915 the Committee reported the indictment of Richardson for keeping the hotel on Smith Street, known then as the Bijou, as a disorderly house, and in 1916 the report told of his trial and conviction before Judge Roy in the County Court. In 1917 the Committee reported the affirmance of the conviction by the Appellate Division and in a foot-note, the reversal of it by the Court of Appeals, to which the defendant had carried the case upon the technicality that the "Trial Judge erred in admitting the testimony which brought to the knowledge of the jury the fact of the defendant's prior conviction, because the defendant, not taking the stand, his character was not an issue." In April, 1919, the case was tried

for a third time (in the first trial the jury disagreed), the defendant was represented by Robert H. Elder and Charles E. Russell, criminal lawyers of exceptional ability. His defense was an attempt to discredit the People's witnesses; not difficult, since certain of them were his employees, who had pleaded guilty when charged with keeping the hotel as a disorderly house. It was also claimed that the testimony of these accomplices had not been sufficiently corroborated and that the hotel was patronized by respectable persons, although among those who occupied rooms on a certain day at this inconspicuous hotel were, according to the hotel register: William J. Bryan of Washington, D. C., Dr. Cooke and Caruso, with their wives.

The case was prosecuted on behalf of the People with great care and the finding of guilty by the jury was very much to the credit of the Trial Assistant, Mr. Albert J. Conway. Richardson was sentenced by Judge McDermott, before whom the trial was held, to the Penitentiary for an indeterminate period under the Parole Commission Law.

CENSORSHIP

The Committee was much interested in the endeavor of the exhibitor of the motion picture entitled "Fit to Win" to secure the approval of Commissioner of Licenses Gilchrist, for the exhibition of the picture in New York City. While there is no formal censoring authority in the city, the power of the Mayor through the Commissioner of Licenses to suspend or revoke, in his discretion, the license of any theatre, makes him indirectly the city's censor of all exhibitions requiring a license. This power has proved effective in preventing the exhibition of questionable films and since the Commissioner does not necessarily have to view the great host of pictures to which there could be no objection, does not ordinarily make much demand upon his time. Because of his known power, those who would exhibit pictures upon which there might be a difference of opinion frequently ask that the

Commissioner or some representative, view them before public presentation is attempted so that, if possible, they may be adapted to the accepted standard.

Such a preliminary submission to the Commissioner was not made by the exhibitor of "Fit to Win". Undoubtedly he believed that either the Commissioner would not oppose or his opposition might be successfully contested because the picture in question was an amended form of the picture prepared by the War Department Commission on Training Camp Activities, for exhibition to the men in the training camps under the title "Fit to Fight." The lesson which it sought to teach was that continence and physical manhood were compatible, that the prostitute was always an enemy and never a friend.

Controlling Decisions

The frankest of the scenes in "Fit to Fight" were eliminated in "Fit to Win" but both sexes were admitted at the same time to the exhibition. When the Commissioner of Licenses directed the exhibition cease or he would forfeit the license of the theatre in which the picture was shown, there began a legal fight which lasted for over 60 days. There was not only one action but a series of them involving state and federal courts as well as criminal actions. Upon the granting by Judge Learned Hand of the District Court of a permanent injunction restraining the Commissioner from interfering with the exhibition of the picture, an appeal was taken by the Corporation Counsel on behalf of the Commissioner of Licenses to the United States Circuit Court of Appeals. The decision of Judge Hand was there reversed, the opinion being written by Judge Ward. In it he refers to the decision of the Appellate Division of the Supreme Court, State of New York, First Department, where, in the case of Message Photo Play Company vs. Bell, Commissioner 179 A. D. 13, the court found that the Commissioner of Licenses had discretionary power to revoke licenses for moving picture theatres. Judge Ward says "Yet the License Commissioner like all such officials must exercise his discretion fairly, honestly,

upon correct information with a view to the moral and physical welfare of the public. There was no evidence in the case cited and there is none in this case, that the Commissioner has not honestly concluded that the exhibition of the film (Fit to Win) to mixed audiences will be injurious to decency and morality. The proofs show and we may take judicial notice of the fact that intelligent persons deeply interested in the welfare of the community, especially of youth, entertain diametrically opposite opinions as to the effect of public discussions of sex questions. Under these circumstances the fair and honest judgment of the official primarily charged with the duty of deciding, should not be interfered with by courts, especially by a Federal Court in the case of a State official."

It is hoped that this question is permanently settled. Had the Federal courts decided against Commissioner Gilchrist in the case of "Fit to Win," the door would have been open for a long series of similar actions, for Commissioners Bell and Gilchrist have refused exhibition privileges to a long list of pictures wherein it has been sought to turn to commercial advantage, the increasing interest in sex problems.

Extent of Censorship

Of the seventy odd pictures upon which the Commissioners are known to have formally acted, about half were refused exhibition privileges, a third were permitted to be shown after eliminations had been made and in a few instances exhibitions were permitted to persons of one sex only.

The question of censorship, whether of motion pictures or of theatrical performances, is a difficult one but the solution as it has developed in New York seems most satisfactory. Given a Commissioner interested in the maintenance of decent amusements and willing to be advised by those like-minded with himself, it seems possible safely to steer between Puritanism and an unrestrained catering to the weaker instincts of men.

The Committee is interested in the problem of motion picture censorship, because the great majority of pictures which have

been refused exhibition privileges or in which there have been extensive eliminations of scenes, have dealt with vice or sex problems. Such a presentation in motion pictures is much more dangerous than in the spoken drama because of the wide distribution of such pictures and because a considerable proportion of the audience in motion picture theatres are minors.

Indecent Show

During the year the Secretary carefully followed the endeavor of a police inspector to suppress a particularly objectionable burlesque show, he having happened to have seen the performance which was the basis of the action brought under Section 1140-a of the Penal Law. After a lengthy examination by a city magistrate the proprietor and male performers were held for trial. It is to be regretted that an application for a jury trial was granted, for though an indictment was found, a conviction by a petit jury is very much less likely than if the trial were in the Court of Special Sessions. The case is still pending.

The effect of the bringing of the case, however, has caused the management to present shows which, in the opinion of the Secretary, are now only on the border line of decency. In his opinion the performance which was the basis of the police action was the most objectionable which has been given in New York in many years, indeed, since the closing of the resorts at Coney Island.

LAW ENFORCEMENT DIFFICULTIES

While investigating one evening, the Committee's Assistant Secretary was taken after 1 A. M. by a cabby to a saloon on Broadway, near 96th Street, which he found to be disorderly. An investigation disclosed that these conditions were already known to the police, there being a record in the Excise Department of five arrests and one conviction during the excise year, 1917-1918, upon which an action had been successfully brought by the Commissioner to recover the penalties of the bond for

$1800. Another arrest for an excise violation was made in December 1918 and the defendant was convicted in "Special Sessions" two months later. In connection with these excise arrests and those which followed, it should be borne in mind that arrests for violations of the excise law are not customary, except as there are conditions which call for police action other than sales of liquor after hours or on Sunday.

A second arrest in the excise year, 1918-1919, occurred in December. Two more arrests were made in March and eight in April. Upon motion in "General Sessions" jury trials were granted in all these latter cases, for had a conviction resulted in the trial of any one of them in "Special Sessions," it would have been a second conviction and the certificate forfeited. The purpose of the defendants, or rather of the proprietor of the place, was not only to prevent this second conviction by the probable discharge of the cases by the Grand Jury, but to delay the trial so that should an indictment be found, trial would not be likely until after the expiration of the excise year, thereby saving, should the defendant be found guilty, the forfeiture of the certificate because it would have expired on September 30th. In six of these cases, the Grand Jury failed to find an indictment and in the five in which the defendants were indicted, none of the cases had been tried up to October 1st. It is very doubtful if these indictments would have been found, had not the District Attorney brought the whole story of the place to the knowledge of the Grand Jury. Early in May, officers attached to the Special Service Squad arrested the proprietor and the waiter, charging the former with keeping a disorderly house and the latter with procuring women for immoral purposes. The examination by the magistrate resulted in the discharge of the proprietor; a number of persons of good reputation on the West Side appearing in his behalf. Although the waiter was convicted, sentence was suspended.

Conviction by Jury

The officers also arrested the two women who had been introduced to them by the waiter as prostitutes, charging them

with offering to commit prostitution in a taxi-cab, after leaving the saloon. One of these women never appeared for trial, forfeiting her bail of $500. The other, after having offered the District Attorney to plead guilty and testify on behalf of the People, was influenced to withdraw her plea and stand trial. After a full and careful hearing, she was convicted by Magistrate Cobb and committed to Bedford Reformatory. From this conviction an appeal was taken which was argued before Judge McIntyre of "General Sessions," counsel for the defendant filing a long brief. The conviction was reversed by Judge McIntyre who ordered a new trial with a jury in the Court of General Sessions.

The retrial occurred in October, the prosecution being ably conducted by Assistant District Attorney James E. Smith. The police officers were subjected to an unusually long and grilling cross-examination, counsel for the defendant having before him the stenographic report of their testimony not only in the previous trial of the defendant but in the examination before the magistrate in the disorderly house and procuring cases. The officers' bill of expense in securing the evidence had also been subpoenaed from the office of the Comptroller, on the items of which they were closely questioned.

The defendant, although her counsel was assured that her admissions to Mr. Smith would not be used against her, did not take the stand. Counsel preferred to rest her case upon his attempt, in summing up, to discredit the officers, laying particular stress also upon the discharge of the proprietor in the disorderly house case and the suspended sentence in the case of the waiter, saying that they were the real violators of the law and that the defendant's arrest was but incidental to these more important cases.

Judge McIntyre charged the jury at considerable length, explaining most carefully, as is always necessary in a criminal case, what constituted the reasonable doubt which they must find was overcome if the defendant be found guilty. After being out but fifteen minutes the jury returned with a verdict of guilty; the first instance in the knowledge of Mr. Smith or the

Secretary in which such a finding had been made in this kind of case.

After investigation, Judge McIntyre sentenced the defendant to 50 days, but because of a recent amendment to the Code this imposed but seven days additional imprisonment, she having been detained in the Bedford Reformatory during the pendency of her appeal and in the City Prison after conviction and before sentence, some 43 days. It is understood that Judge McIntyre was assured that the prisoner would, if he imposed but a short sentence, leave the city and return to her mother in the south. A recent investigation disclosed that she is in the city, acting as a cigarette girl in a cabaret not far from the saloon which she formerly frequented.

The saloon itself closed on September 30th, chiefly because of prohibition, but before it was closed its proprietor was arrested for violation of the Federal Law and also was robbed of a considerable amount of money.

FREDERICK H. WHITIN

Secretary

November, 1919.

IV

REPORT OF APPROPRIATIONS AND DISBURSEMENTS BY THE TREASURER FOR THE FISCAL YEAR

1918–1919

FOR GENERAL PURPOSES

Current Appropriations:		
Contributions applicable to the year and interest on balance		$14,592.80
Contributions for Brooklyn work		820.00
Total		$15,412.80
General Disbursements:		
Salaries, Executive	$6,450.00	
Clerical	1,517.00	
Rent	879.96	
Stationery	263.21	
Telephone	231.35	
Carfare, and out of town expenses	278.97	
Postage	98.60	
Miscellaneous	380.84	
		$10,099.93
Investigation: Vice Conditions		
Manhattan	$1,375.30	
Boroughs	249.80	
Special	1,066.65	
		2,691.75
Special Investigation, Sub-committee		148.65
Brooklyn Disbursements:		
Clerical Assistance	$500.00	
Investigation	437.93	
		937.93
Special Disbursements:		
Annual Report and Reprints		435.09
Total operating expenses		$14,313.35
Office Fixtures		106.15
Total Disbursements		14,419.50
Current Appropriations as yet unexpended		993.30
		$15,412.80

SUPPLEMENTAL REPORT

Camp Condition Fund

Unexpended balance, reported Sept. 30th, 1918	$654.87
Disbursements, investigation expenses	654.87

Signed, Francis Louis Slade,
Treasurer

The records and vouchers of the Committee of Fourteen for the fiscal year ended September 30th, 1919, have been examined by me and the total of contributions and disbursements, as shown in this report, are correctly stated in accordance therewith; the secretary's subdivision of the same into various accounts has been accepted without verification.

Signed, Patrick L. Ryan,
Certified Public Accountant

October 28th, 1919.

CONTRIBUTORS, 1918–1919

New York

Agnew, George B.	$10.00
Alger, George W.	25.00
Baldwin, Mrs. Ruth Standish	25.00
Benjamin, Morris W.	10.00
Borg, Sidney C.	100.00
Brewster, Robert S.	500.00
Brown, Rev. William Adams, D. D.	100.00
Burke, Thomas P.	3.00
Butler, William Allen	10.00
Buzzell, A. R.	10.00
Carnegie, Andrew	500.00
Colgate, William	25.00
Collins, Mrs. Charles	10.00
Dodge, Cleveland H.	500.00
Emmons, Arthur B.	10.00
Ford, James B.	1,000.00
Fox, Hugh F.	20.00
Frank, Alfred	10.00
Frissell, Algernon S.	20.00
Grace, Joseph P.	500.00
Hadden, Mrs. Harold F.	10.00
Halsey, Mrs. Frederick A.	5.00
Hazard, Mrs. Barclay	5.00
Henderson, Mrs. Edward C.	5.00
Hoe, Mrs. Richard M.	15.00
Hopping, A. Howard	2.00
Howe, Henry M.	5.00
Hoyt, John Sherman	25.00
James, Arthur Curtiss	2,500.00
Jennings, Walter	10.00
Johnson, James W.	25.00
Kingsley, William M.	25.00
Kunhardt, Wheaton B.	10.00
Lee, Frederic S.	10.00

Lewisohn, Adolph	$50.00
Lewisohn, Sam A.	50.00
Lyman, Frank	10.00
Macy, Mrs. V. Everit	100.00
Marks, Marcus M.	5.00
Marshall, Louis	25.00
Mason, George Grant	250.00
Matheson, William J.	100.00
Moore, George G.	5.00
Morgan, Mrs. John B.	5.00
Morgan, William Fellowes	10.00
Murray, James B.	10.00
Openhym, Wilfred A.	5.00
Osborn, William Church	50.00
Parsons, William H.	25.00
Pedersen, Dr. James	25.00
Perkins, Mrs. George W.	25.00
Peters, Rev. John P., D. D.	25.00
Peters, William R.	100.00
Phipps, Mrs. Henry	250.00
Plaut, Joseph	15.00
Rockefeller, John D., Jr.	2,500.00
St. James' Church	50.00
St. Michael's Church	25.00
"S. M. W."	10.00
Schiff, Mortimer L.	100.00
Seligman, Mrs. Isaac N.	250.00
Sherman, Charles A.	10.00
Simkhovitch, Mrs. V. G.	5.00
Slade, Francis Louis	250.00
Stimson, Henry L.	10.00
Stone, Miss Ellen J.	25.00
Straight, Mrs. Willard D.	500.00
Straus, Percy S.	250.00
Strauss, Frederick	100.00
Todd, Professor Henry A.	5.00
Villard, Mrs. Henry	10.00

Villard, Oswald Garrison	$ 10.00
Warburg, Felix M.	500.00
Woerishoffer, Mrs. Anna	250.00
Wolff, Mrs. Lewis S.	10.00
Zabriskie, Mrs. George	5.00

BROOKLYN

A Friend	$100.00
"B. C. F."	100.00
Childs, William Hamlin	250.00
Low, Josiah O.	100.00
Low, Mrs. Mary T. F.	50.00
Merritt, Mrs. J. H.	5.00
Pratt, Mrs. Frederic B.	100.00
Sherman, Mrs. Charles E.	5.00
Tousey, Miss Elizabeth	10.00
White, Miss Frances E.	100.00

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THE COMMITTEE OF FOURTEEN
IN
NEW YORK CITY

ANNUAL REPORT
1919-1920

ORGANIZED, 1905
INCORPORATED, 1907
RE-ORGANIZED, 1912

27 EAST 22ND STREET
NEW YORK CITY

Select Printing Company
80 Lafayette Street, New York

221

THE COMMITTEE

1919 - 1920

Mr. George W. Alger
Hon. Charles W. Appleton
Rev. Robert Bachman, jr.
Mr. William H. Baldwin
Dr. Lee W. Beattie
Mr. Herbert L. Bodman
Commander Evangeline Booth
Mrs. Sidney Borg
Dr. William Adams Brown
Prof. Francis M. Burdick*
Mr. Edmond J. Butler
Mr. William Hamlin Childs
Rev. William A. Courtney, D.D.
Mr. James S. Cushman
Mrs. Robert L. Dickinson
Dr. Bernard Drachman
Mrs. John M. Glenn
Mrs. Barclay Hazard
Mr. Walter G. Hooke
Miss Caroline Linherr
Mr. Josiah O. Low
Mr. Edward J. McGuire
Mr. Alfred E. Marling
Dr. H. Pereira Mendes
Mrs. Mortimer M. Menken
James Alexander Miller, M.D.
Miss Maude E. Miner
Dr. Henry Moskowitz
Mrs. Henry Moskowitz
Hon. Howard P. Nash
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Dr. John P. Peters
Mrs. Frederic B. Pratt
Mr. George Haven Putnam
Mr. James B. Reynolds
Mrs. V. G. Simkhovitch
Mr. Francis Louis Slade
Mr. Percy S. Straus
Eugene L. Swan, M.D.
Mr. Lawrence Veiller
Mr. Frederick H. Whitin

* Deceased.

1919 - 1920
OFFICERS OF THE COMMITTEE

Honorary Chairman . . . . . Dr. John P. Peters
Chairman . . . . . Mr. Percy S. Straus
Vice-Chairman . . . . . Mr. Edward J. McGuire
Treasurer . . . . . Mr. Francis Louis Slade
Secretary . . . . . Mr. Frederick H. Whitin

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Mrs. Robert L. Dickinson
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Mr. Francis Louis Slade

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Prof. Francis M. Burdick
Mr. Walter G. Hooke
Mrs. Mortimer M. Menken
Hon. Howard P. Nash
Mr. Lawrence Veiller

Brooklyn Committee

Mr. Josiah O. Low, *Chairman*
Mr. William Hamlin Childs
Mrs. Robert L. Dickinson
Hon. Howard P. Nash
Mrs. Frederic B. Pratt
Eugene L. Swan, M.D.

For Officers and Directors for 1920-1921, see page 15.

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1905-1919

THE COMMITTEE OF FOURTEEN was organized in January, 1905, to secure the suppression of the disorderly resorts known as Raines Law hotels. This was an existing phase of commercialized vice, the seriousness of which was reported by the Committee of Fifteen (1902).

The Committee effected the general suppression of these hotels and of many disorderly resorts in which liquor was sold by securing amendments to the Excise Law, by more effective action by the Excise Commissioner and the imposition of more drastic penalties by the courts. Also, in perhaps the larger number of smaller cases, by the co-operation of the brewers and surety companies.

In 1912, the work of the Committee was extended to include all forms of commercialized vice. The Committee was instrumental in securing an Injunction and Abatement Law, amendments to the Tenement House Law, making the provisions more effective against the owner as well as the prostitute and her exploiter. The amendments to the Code of Criminal Procedure which made prostitution, regardless of where the offense was committed, a violation of law, were promoted by it.

The Committee has also contributed to the successful repression of vice by close observation of court proceedings, bringing the results to the attention of the judges, thereby enabling them to make their work more effective.

The combined efforts have produced most noticeable results. New York has less open vice than any of the world's largest cities.

I

REPORT OF THE CHAIRMAN

EFFORTS to repress commercialized vice have continued for many years. Until recently progress was slow, as the problem was considered one of morals, and the Anglo-Saxon has been ever chary of interfering with his neighbors' so-called personal affairs. That these affairs were not exclusively personal, but social also, having a bearing upon community life, began to be the keynote of the campaign to suppress vice, when to the moralists, was added the cry of the specialists in venereal diseases. The warnings of the latter did not arouse public opinion as they should, due probably to the fact that their statistics of disease were believed to be exaggerated. Under the Selective Service Act millions of men were physically examined. The result proved the serious menace of these diseases. Employers realized for the first time that commercialized vice and its ever-present diseases were a factor in under-production, labor turnover, etc. The fight has since become one for industrial and civic efficiency and morals. Since this impairment of efficiency is due to venereal disease, there is danger that public support may be given only to the health problems. This would be but a locking of the barn door after the horse had been stolen. In the campaign against vice, repression through law enforcement and by education are as important factors as the health program. Without them, dispensaries and hospitals to deal with venereal disease must be continued indefinite-

ly, if not increased. While the Committee of Fourteen is a law enforcement organization, it works in the closest co-operation with those in the allied educational and medical activities.

In law enforcement work there are four divisions: (1) The enforcement of existing laws against vice; (2) study of the results of such enforcement and of the institutions dealing with the sex offenders; (3) the development and maintenance of an intelligent public opinion on vice problems, and (4) research into the underlying factors of prostitution.

The Public Official

It is obvious that the busy city official, only one of whose duties is the repression of commercialized vice, has little time to devote to the divisions other than the first. This work, therefore, devolves upon some such group as the Committee of Fourteen, and it has been the earnest endeavor of the Committee during the past years to meet this need in New York City. Effective results are dependent upon a close co-operation between the officials and citizens.

Recommendations

This is the time that we should plan future efforts, based upon past experience and accomplishment. It seems to me that the following are matters upon which we could properly concentrate our efforts during the coming year: Secure (1) a law for the licensing of hotels; (2) an amendment to the procedure in the Magistrates' Courts to secure a more uniform and satisfactory disposition of cases of males charged with

solicitation and procuring, and (3) an amendment to the appeal procedure from decisions in the Magistrates' Courts.

Hotel Licensing

(1) While there are now very few hotels in the city whose management will knowingly accommodate prostitutes and their customers, or couples seeking rooms for immoral purposes, there are still a considerable number of hotels scattered about the city where such persons can secure accommodations. The hotel business is not licensed in New York City, but such a control would undoubtedly further improve conditions. It should be of a form which would not press upon those conducting a legitimate hotel business, but with sufficient penalty to be a definite deterrent to those seeking or tolerating law-breaking customers. It may be anticipated that effective licensing regulations would be as beneficial as was the Penalty-Upon-the-Place amendments to the Liquor Tax Law.

Penalizing the Exploiter

(2) The establishment of the Women's Court in 1910, and the continuous advance since made, have placed New York City in the forefront of cities in the treatment of women charged with sexual offenses. Unfortunately, no such advance has been made in the case of men charged with solicitation and procuring. They are tried in the District Courts before magistrates who, as a rule, are without special knowledge of the complex problems of commercialized vice.

When the Women's Court was established, the cases were almost entirely for soliciting and loitering, acts committed in public places—arrests for prostitution being inconsiderable prior to 1914. Under the then existing law, prostitution in a disorderly house involved only the proprietor or his or her representative. The charge being a misdemeanor, the cases were tried, regardless of the sex of the defendant, in the Court of Special Sessions. Changes of law, of procedure and in vice conditions have materially affected the character of the cases. Amendments secured in 1913, 1915 and 1919 have made prostitution an "offense," wherever committed. Disorderly house cases which were formerly heard almost daily in the Court of Special Sessions are now an exception on the calendar of that Court, while cases involving acts in private places now constitute 66 per cent of those heard in the Women's Court. Thus, prostitution cases of men are entirely separated from those of women.

While the Women's Court was established primarily for the more effective and sympathetic treatment of the fallen woman, the result has effected a material improvement in vice conditions. There is every reason to believe much the same benefit will result from a similar treatment of the same class of male offender. Logically, all these cases should be tried in the same court and before the same judges, but some of those interested in the Women's Court believe that to try men in that court would destroy its special value. Others believe the gain resulting would be greater than the possible loss. In any case, legislative amendment would be necessary to effect this change. It seems most desirable that the situ-

ation should be carefully studied, so that the change, if made, may accomplish the needed purpose.

Appeal Procedure

(3) Only those closely associated with the Women's Court appreciate the difficulties due to the present appeal procedure. The existing law provides that an appeal from a conviction by a magistrate shall be heard by the judge presiding in Part One of the Court of General Sessions. While there are relatively few appeals from the convictions in the Women's Court, a large proportion of them involve points of much importance; not only legal points, but ones involving public policy on a subject (prostitution) on which there is still much difference of opinion.

On points of law the present procedure on appeal is not as effective as could be desired because the decision is rendered by only one judge, and not by a bench of three or more as in all other appellate courts—a survival of the days when the magistrates were not necessarily lawyers. This weakens the force of the appeal decision. It has seemed to many that the appellate bench should consist of three judges. It is to be hoped that this change need not be delayed until other changes now being advocated, affecting the criminal courts throughout the city generally, have been secured.

While there are other amendments to the law which could be advantageously made, they are of minor importance. If the three which have been suggested are secured, a further material reduction of commercialized vice in the city will be secured.

Police

The trial of Police Inspector Henry for neglect of duty in failing to suppress disorderly resorts, and of Third Deputy Police Commissioner Porter for alleged interference with officers in the discharge of their duty, were extensively reported in the public press. The testimony offered in support of this charge against the former did not show open disorderly conditions, and the case was discharged by the judge. This showed the impossibility of maintaining such a charge where vice is materially repressed.

The conviction of Henry on the charge of perjury was of interest to the Committee's members, because the alleged perjury involved Assistant District Attorney Smith, who, during his ten years of service in the District Attorney's office, has been the most aggressive of all the County's prosecuting officers in cases involving commercialized vice. These charges and counter-charges rejoiced the underworld, being proof that the Police were not working harmoniously with the District Attorney.

In 1919, Inspector Costigan, who for many years commanded the special squad at Police Headquarters, charged with the suppression of prostitution and gambling, was demoted and transferred to the Bronx. In 1920 his successor, Inspector McDonald, who had continued the work without abatement, was transferred to a district, the command of the squad being given to one less familiar with its peculiar duties. This cannot but make for a loss of effectiveness, which is much to be regretted. The Special Headquarters Squad attached

to Chief Inspector Daly's office, has also been disbanded, he having been appointed Second Deputy Police Commissioner. The central office squads are of particular value in fighting vice, not only because of the competition which exists with the district squads, but also because these special squads have a roving commission throughout the city which keeps the underworld, that knows the territorial limitations of the district squads, under double suspense.

It is currently reported that the allowances from the police contingent fund for securing evidence in vice cases have been materially cut. While the need for economy in municipal expenditure is recognized, this cut is most unfortunate, for the cost of securing evidence in vice cases has increased many fold. Without the necessary funds the police cannot get the evidence in a direct way, and must, if vice is to be repressed, resort very generally to securing evidence by the so-called "jump raid"—a method much opposed by some appellate judges.

Court Changes

The changes in court proceedings which were noticed last year have become emphasized. Whereas ten years ago the most important prostitution cases were tried in the Court of General Sessions or of Special Sessions, there are relatively few such trials at present in these courts. The Women's Court has become the center of official repressive efforts. The General Secretary, in his report, will deal at length with present conditions in that court.

Committee Changes

During the year the Committee suffered the loss, by death, of Professor Burdick, one of its original members, and a Minute, expressing appreciation of his long and very valuable service, has been spread upon the Committee's minutes. Rabbi Mendes, also a member since the Committee was formed, has been forced by illness to withdraw. Mrs. Ruth Standish Baldwin, who has been a member of the Committee since 1906, resigned on account of the pressure of other duties, and her son, William H. Baldwin, was elected in her place. Mr. James B. Reynolds, for many years counsel for the American Social Hygiene Association, also resigned because of ill health.

The following additional new members have been elected during the year:

Herbert L. Bodman	Walter G. Hooke
Mrs. Sidney Borg	Hon. Howard P. Nash

—and the work has gone forward with unabated vigor.

The Committee has been faced with the difficulty of adjusting its work to the increased cost of operation. In justice to its staff, higher salaries have been paid. The cost of investigation has very materially increased for information which could formerly be secured from a casual acquaintance at a small expense, can now only be acquired with a liberal expenditure of money. The budget of $15,000 on which the Committee has been operating must be increased if the work is to be carried forward with the effectiveness of the past.

Percy S. Straus,
Chairman.

October 26th, 1920.

II.

ANNUAL MEETING

October 26th, 1920

The reports of the Chairman and Treasurer were received and directed to be published. The Secretary submitted an outline of his Annual Report.

The resignations of Dr. H. Pereira Mendes and Mr. James B. Reynolds were accepted with regret. The officers elected for 1920-1921 were as follows:

Mr. Percy S. Straus, *Chairman*
Mr. Edward J. McGuire, *Vice-Chairman*
Mr. Francis Louis Slade, *Treasurer*
Mr. Frederick H. Whitin, *Secretary*

The following directors were elected for the ensuing year:

Mr. Percy S. Straus, *Chairman*

Mr. George W. Alger
Hon. Charles W. Appleton
Dr. Lee W. Beattie
Dr. William Adams Brown
Mr. Edmond J. Butler
Mr. James S. Cushman
Mrs. John M. Glenn
Mr. Edward J. McGuire
Mrs. Mortimer M. Menken
Mrs. Henry Moskowitz
Dr. James Pedersen
Mr. Francis Louis Slade
Mr. Lawrence Veiller

III.

SUMMARY

of a Survey of Reformatory and Correctional Institutions and Agencies as Related to the Problem of Commercialized Vice

by

ALICE D. MENKEN

For a special Sub-Committee of the Committee of Fourteen consisting of Mrs. V. G. Simkhovitch, Mrs. Ruth Standish Baldwin, Mrs. John M. Glenn, Miss Caroline Linherr, Mrs. Mortimer M. Menken and Miss Maude E. Miner.

The purpose of the Survey was to ascertain:

First: Whether institutions to which delinquent women are committed by the courts and field agencies co-operate in such a manner as to assist in the reduction of commercialized prostitution.

Second: Whether in the various institutions and agencies dealing with delinquent women there are adequate arrangements for parole and for the follow-up of women suffering from venereal disease, committed for treatment to the Hospitals of the Department of Correction and the Department of Health.

Eighteen of the agencies had institutions or homes for female offenders. Of these, only ten had a parole system for the after-care and follow-up of the women committed therein.

Note: This summary is a condensation of the fifty pages of the original report.

The following recommendations were made as a result of the Survey in the interest of safeguarding the community from the spread of prostitution and the infection of venereal diseases:

(1) That a sub-committee be appointed to consider ways and means in recommending the points of contact that may be established between the agencies and the Committee of Fourteen with a view to the employment of a liaison officer to promote this co-operation.

(2) That public sentiment be aroused to assist the various municipal departments in securing adequate appropriations for the maintenance and standardization in one central bureau for effective medical and social service in connection with correctional institutions, hospitals and clinics.

(3) That legislation be enacted to require that those discharged from institutions, having had venereal disease, be re-examined at stated periods by the Board of Health.

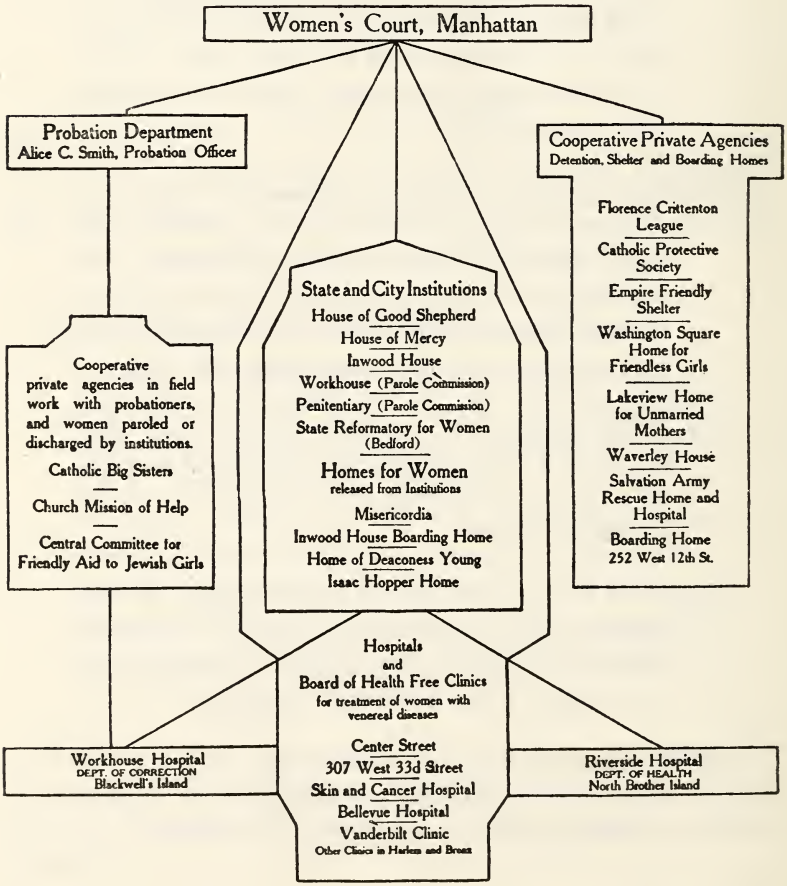
(4) That the city establish a clearing house for the physical and mental examination of sex delinquents, and provide for adequate custodial care according to the condition disclosed.

(5) That a parole system or after-care service be instituted by all institutions and agencies to which sex delinquents are committed or referred.

AGENCIES

State, City and private, dealing with female offenders over the age of sixteen

1919



IV.

REPORT OF THE SECRETARY

THE WOMEN'S COURT

1911 — 1920

THE Committee's Annual Reports have always contained a section on the Women's Court and since, with the close of 1920, that court has been in existence for ten full years, it is not an inappropriate time to present a consolidated report of the court of those years, as well as a brief re-statement of the conditions which led to its organization. With the decrease of disorderly house cases in the Court of Special Sessions to a comparatively inconsiderable number, due to the change of vice conditions and amendments to the law, the Women's Court has become the center of legal proceedings to suppress prostitution in New York City.

Prior to 1907

Prior to August, 1907, women charged with street soliciting (Disorderly Conduct under Subdivision 2 of Section 1458, Consolidation Act, Laws of 1882) were tried in the Magistrates' Court of the district in which the offense occurred. The annual reports of the Board of City Magistrates did not distinguish, prior to 1911, in the tabulation of cases, between Disorderly Conduct and Prostitution, hence details of dispositions prior to that date are not available. An examination of court records, made by the Committee of Fourteen, through the courtesy of the magistrates in 1907, disclosed 7,000 prostitution cases in the district courts in the eight months, January to August of that year, or an average of 900 a month.

The study showed that one-third of those arrested for prostitution were discharged by the magistrates. Of those convicted, 73% were fined, the average fine being a little over $5. The commitments to the Workhouse constituted 17%, while 10% were placed upon probation or gave bonds to keep the peace.

There was a wide variance in the proportion discharged by the various magistrates and an equally wide variance in the sentences imposed, especially commitments to the Workhouse.

Night Court, 1907

A Night Court for Men and Women was opened in August, 1907, in the Jefferson Market Building, that a speedy trial might be given by the magistrates to those arrested for petty offenses after the close (4 P. M.) of the regular sessions of the district courts. Previously, a considerable proportion of such persons, being unable to give bail for appearance in court the next morning, spent the night in jail, regardless of innocence or guilt. Indeed, to many of those later found to be guilty, the night in jail was much more punishment than the small fine which was frequently imposed. The giving of a speedy trial was expected to end the supposed bail bond evil in cases of prostitutes, as it was current belief that the prostitute who gave bail when arrested was less likely to be convicted than one who did not give bail, since it was commonly said that the fee for the bail was "split three ways"—between the bondsman, the arresting officer and the station house lieutenant. While there was no legal evidence of such graft, the decrease in the total number of prostitution cases after the establishment of the Night Court may have been due to the loss of this incentive to such arrests.

Dispositions, 1907-1908

In the first six months after the establishment of the Night Court for Men and Women, the number arraigned for street soliciting in this court averaged about 500 a month. To this number should be added the cases of those arrested after the close of the Night Court, such persons still being arraigned in the district courts. While the number is not known, the total was undoubtedly a considerable reduction from the total number arraigned on this charge in the same months of the preceding year.

A detailed investigation of the Night Court was made in the spring of 1908 by the Commissioners of Accounts, including the late John Purroy Mitchel, afterward Mayor. The

investigation disclosed the same wide variance of dispositions in prostitution cases, found by the Committee, had continued in the Night Court. Of the 3,281 arraigned in the Night Court, charged with street soliciting, August 14th, 1907, to February 29th, 1908, 37% were discharged. Of those convicted, 71% were fined, 18% committed to the Workhouse, and 7% put upon probation. These percentages are practically the same as when all dispositions were made in the District Courts.

Investigations at this time showed that street conditions varied materially according to the magistrates sitting in the Night Court. If one known as a "hard" judge was sitting, there were many less women to be observed on the streets than on the night when an "easy" judge was sitting. By "hard" was meant a judge who not only convicted a larger proportion of those arraigned before him than some of his associates, but whose proportion of commitments to the Workhouse or reformatories was also larger.

If the original Night Court was not as effective as anticipated in reducing street solicitation, it was of material value in concentrating attention upon the problem of prostitution. As a result, the Inferior Criminal Courts Law (Chapter 659 of the Laws of 1910) which was based upon the recommendations of the "Page Commission," provided for a separate Night Court for Women; for the assignment of magistrates to the court by the Chief City Magistrate, and for the establishment and use in it of finger print identifications of persons convicted of prostitution.

Women's Court, 1910

The Night Court for Women, organized under the Inferior Criminal Courts Act, was opened September 1st, 1910, holding its sessions in the Jefferson Market Building. The sessions of the Men's Night Court, also established in accordance with the same law, were held in the Yorkville Court (East 57th Street). The separation of the sexes and the other changes provided in the law resulted in a great improvement. Until July, 1913, women arrested after the close of the Night Court, charged with prostitution, were arraigned and tried the following morning in the Second District Court (a day court), the

sessions of which were held in the same room as the Night Court. After that date, such cases were held for the Women's Night Court, without complaint from anyone of a delayed hearing.

In April, 1919, day sessions of the Women's Court were substituted for night sessions, an investigation having disclosed that over 80% of the cases in the Women's Court were not tried on the evening of the first arraignment. In making the change to day sessions, special provision was made for those arrested after the close of the court who might demand a speedy hearing, but as yet no such demand has been made. Day sessions have proved most satisfactory—not only in the general working of the court, but also because of the absence from the audience of the curious and morbid sightseers who attended the night sessions, the court having become one of the show places of the city.

Magistrates Especially Assigned

Shortly after his appointment as Chief City Magistrate in 1910, Judge McAdoo assigned four of his associates—Magistrates Barlow, Corrigan, Herbert and Murphy, to sit in rotation in the Women's Night Court. The assignments of Magistrates Herbert and Murphy were continued until their appointment to the Court of Special Sessions in 1914 and 1915. Magistrate Barlow would still be rendering great service in the court if ill health did not prevent. Changes of assignment to the Women's Court have been made from time to time, and have included, in addition to those mentioned and those now serving, Magistrate Cobb, assigned (1916-1919), Magistrate Frothingham (1915-1918) and Magistrate Marsh (1915-1919).

The appointment of special magistrates to the Women's Court has proved most satisfactory, for not only were those who accepted the appointment interested in the peculiar problems of that court, but they speedily became experts in the special problems of the court, and in the increasingly technical procedure of the cases. The success of the experiment has led to the assignment of certain magistrates to the other special magistrates courts which have since been organized: Domestic Relations, Municipal Term and Traffic.

Identifications

The finger print system of identification has proved to be of the greatest value in the Women's Court, and has since been extended to all Magistrates Courts for cases of intoxication, breach of the peace, etc. By this means the defendant's record of convictions is readily obtainable for the guidance of the magistrate in imposing sentence, and certainty of a long sentence, if again apprehended, is a great deterrent to the continuance of law breaking.

Detention Homes

Shortly after the establishment of the Night Court in 1907, it became apparent that there should be some institution to which the young offender might be committed, pending the trial of her case, or, if placed on probation, held until arrangements for her future life might be perfected. As a result, the New York Probation Association was formed by Miss Maude E. Miner, who was then a probation officer at the Night Court, and Waverley House was opened for the care of such girls. When Miss Miner resigned as Probation Officer in 1909, this special work was assumed by the New York branch of the Florence Crittenton Mission. As a result of its development, the Florence Crittenton League was organized to continue and develop this work, and is now rendering service of inestimable value.

Indeterminate Sentences

In 1915, the Legislature passed a law (Chapter 579) which provided that in any city in which a Commission was appointed under the law, a person convicted of prostitution, vagrancy, intoxication, disorderly conduct, etc., three times within twenty-four months, or four or more times without limitation as to time, should be sentenced to the Workhouse for an indeterminate period not to exceed two years, the actual sentence to be served to be determined by the Commission. Such a Commission was promptly appointed by Mayor Mitchel, Dr. Katharine B. Davis being the Commission's first Chairman. The law was vigorously contested, especially as to the sufficiency of the finger print identifications to prove the record, but was sustained by the courts.

Had the court determined adversely to such identification, the law would have been rendered useless, for recognition of the defendants by the officers upon whose testimony the former convictions had been made, was found most uncertain, especially when the case was three or more years previous. While the magistrates do not consider the law mandatory, the possibility of such a sentence acts as a great deterrent to the prostitute in New York City, as is shown by the reduced proportion after the passage of the law, of those previously convicted (see Chart D, p. 33), the lower line of which indicates the proportion of those who might be given the indeterminate sentence each year.

Physical Examinations

The Inferior Criminal Courts Law, as passed in 1910, provided (Clause 79) for the physical examination of convicted prostitutes, and a possible increased sentence for those found diseased. Because of this provision, the clause was held to be unconstitutional, for the defendant was denied the constitutional right of a day in court. In 1918, the General Health Law was amended (Chapter 464) to include provisions for the examination by the Board of Health of all persons suspected of suffering from venereal disease. Persons convicted of prostitution were declared to be such suspects. While the law was amended in 1919 (Chapter 40) so as to include as such suspects all persons arrested upon a charge of prostitution, the Health Department is still examining only those convicted. The examinations disclose that about 50% of the prostitutes convicted in the Women's Court are suffering from venereal disease in a contagious stage. This proportion is low as compared with reports of similar examinations in other cities, and is due to its being limited to those in an infectious stage of the disease. The proportion so reported of those not previously convicted is slightly higher than among those with records, tending to confirm the belief that the new or casual offender does not take the same precautions against disease as do those with longer experience. The magistrates of the Women's Court are co-operating with the Health Department by making such disposition of these cases as will give assurance of adequate treatment of the disease.

Fines

The fine as a penalty in prostitution cases was discontinued in the Women's Court in 1912 by agreement between the magistrates assigned there, and in 1913 the provision for fines in such cases was abolished by law.

Brooklyn Court

A Night Court for Women was established in Brooklyn in 1916, and is still continued. The arraignments for prostitution have never been more than 10 to 15% of those in the Manhattan court, and consequently the former court has had little attention, either from the public or those interested in the problems of prostitution. The proportion of first offenders is much larger than in Manhattan, and cases of women convicted three times or more—Parole Commission cases—are very exceptional. Magistrates have never been especially assigned to sit in this court, as in Manhattan.

Tenement House Law

Prior to 1913, prostitution cases were almost exclusively for acts of public solicitation, the charge being made under the 1882 statute (see p. 19). In that year, cases involving prostitution in tenement houses began to attract attention. These rapidly increased in number, due probably to the general closing of the disorderly parlor houses and to a change of police procedure. Since 1914 they have constituted a material proportion of the cases in the Women's Court (see Chart B, p. 29).

The first proof which must be made in these cases is that the premises in which the alleged offense was committed was a tenement house. This was originally made by calling the janitor or three tenants of the house as witnesses. Because of the late hour of the court sessions, and because such cases were frequently postponed, serious inconvenience was caused the innocent citizens called to so testify. In 1915 an amendment was secured (Chapter 196) which provided that the court might in these cases accept the certificate of the Tenement House Department as presumptive evidence that the building

was a tenement. This method of proof has been entirely satisfactory.

The Inferior Criminal Courts Law of 1910 did not give the magistrate power to place upon probation a woman convicted of prostitution under the Tenement House Law, it being held that the offense was more serious than street soliciting, and that a workhouse or institutional sentence should be imposed in such cases. With changing vice conditions it was found that many so convicted were less of a menace than those who solicited upon the public streets, and who, when convicted, might be placed upon probation. The magistrates therefore imposed sentences of only one day in such cases, the "day" terminating with the close of the court session.

In 1918 an amendment to the general law as to sentences made probation possible in cases of all offenses, so that there is now no distinction as to disposition in the tenement house cases.

Vagrancy

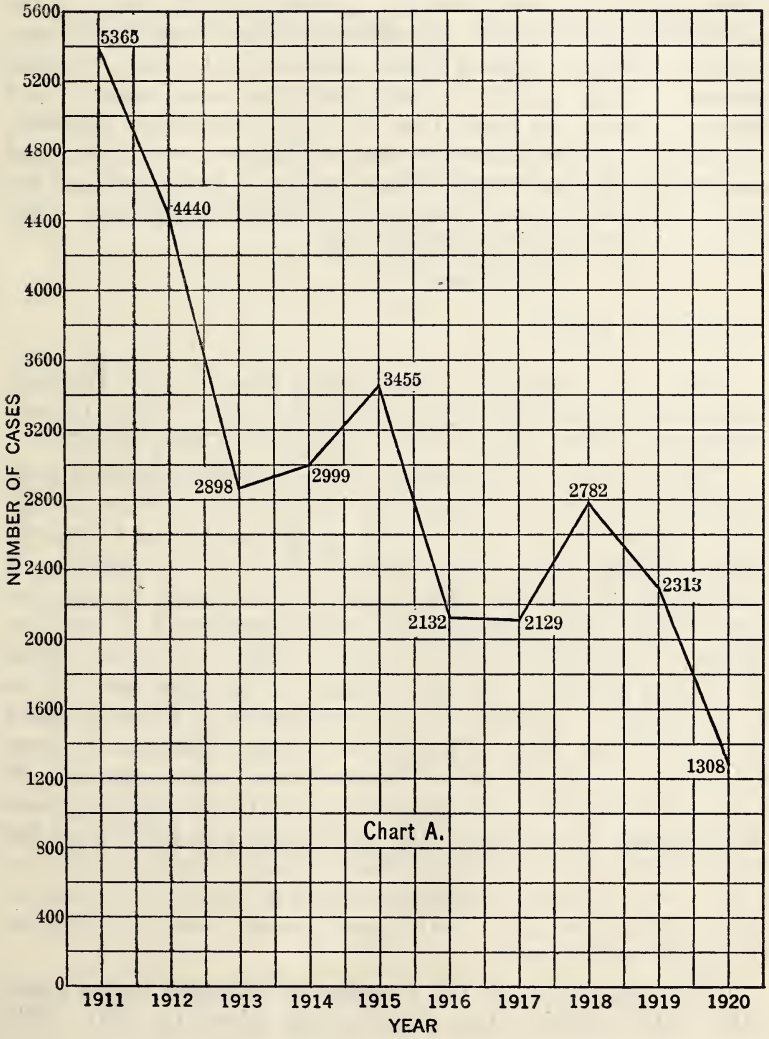
Prior to 1915, prostitutes who did not solicit on the street or in tenement houses were not guilty of any offense in New York. The woman who solicited in the rear room of a saloon or the dining room of a Raines Law hotel was not liable to arrest, and while the madam of a disorderly house or the proprietor or clerk of a disorderly hotel might be arrested, the inmates of the house or the women guests of the hotel were merely forced, at the time of the raid, to leave the premises. Occasionally the former were, in police parlance, "given a ride"; that is, they were taken in the police patrol wagon to the station house and court, only to be discharged.

Section 887 of the Code of Criminal Procedure is entitled "Persons Who are Vagrants." In 1915, four new clauses were added to Subdivision 4 (Chapter 285), thereby defining as a vagrant, "A person who offers to commit prostitution" and those who commit related acts. This removed the limitations which have just been stated, so that the prostitute can no longer solicit in any place or building without being liable to arrest. When disorderly hotels are now raided, the prostitutes found there in company of men are also arrested if there is sufficient evidence warranting it.

Women's Court, Manhattan

Total Number of Prostitution Cases

1911 - 1920



In 1919 the same section of the Code was further amended (Chapter 502), so as to include a person who receives another into any place, house or conveyance for the purpose of prostitution, or who aids and participates in such acts. By this amendment, it is possible to convict the driver of a taxicab or other conveyance who knowingly permits it to be used for the purpose of prostitution. In practice it has been found particularly effective against those who rent rooms for immoral purposes. While in this it duplicates to a considerable extent Section 1146 of the Penal Law (Keeping Disorderly Houses), convictions are less difficult to secure, because the keeping and maintaining of a disorderly house implies a permanence of use which need not be proved where the charge is vagrancy. (See People v. McDevitt, 215 N. Y., 160.)

Prostitution Cases

The total number of prostitution cases in the Women's Court have varied greatly in different years, with a general downward tendency, as is shown in Chart A. (See page 27.)

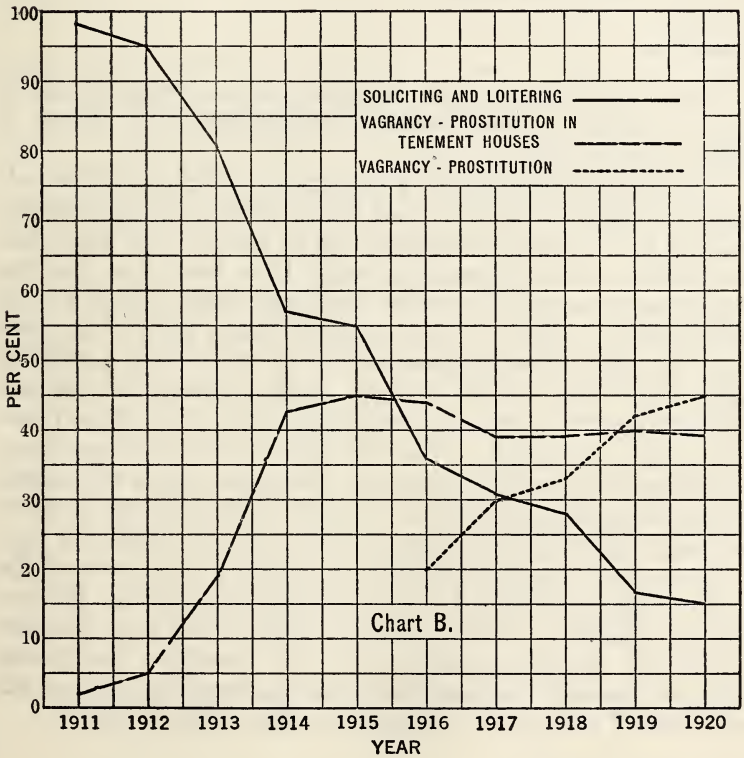
The decrease in 1913 probably would not have been so large had not workhouse sentences been substituted for fines in that year. The increase in 1914-1915 was probably due to greater police activity under Commissioner Woods; the decrease in 1916 to the fear of the enforcement of the Parole Commission Law, while the increase in 1918 must be attributed to war conditions. On Chart B (see p. 29) is shown, for the ten years 1911-1920 inclusive, the proportion of arraignments in the Women's Court, and until the discontinuance on July 1st, 1913, in the Jefferson Market Court, as between charges of street soliciting, prostitution in a tenement house and vagrancy. It will be noticed that the proportion of street soliciting cases has decreased in each year, the total number in 1920 being but 4% of the number in 1911. This decrease corresponds to the improvement of street conditions and is the result of the amendments which have been secured and the enforcement of law by the police and courts.

The explanation of the increase of tenement house cases, until 1915 inclusive, has already been given (p. 25). The

Women's Court, Manhattan

Proportion of Arraignments for Prostitution Offenses

1911 - 1920



causes of subsequent changes are the same as in the cases of street soliciting. The increase in the number of vagrancy-prostitution cases is attributable to the widening of the law and a more extended use. This law, to a considerable extent, duplicates both Section 1146 of the Penal Law and Section 1458 of the Consolidated Law, but, because of its broader provisions, convictions are less difficult to secure. In comparing Chart B with Chart A, it should be remembered that the former is of proportions, as between the kinds of cases—the latter of the actual number of cases.

Convictions

The proportion of those convicted in the Women's Court in each of the ten years since its establishment is shown in Chart C (see p. 31).

The general decrease in proportion convicted may be attributed largely to the increased difficulty in securing sufficient evidence for a conviction which will be sustained if appealed. The number of arraignments would have been less, but the proportion of convictions would have been higher, except for the introduction in 1916 of the so-called "jump raid." In these cases, the officers, having good reason to believe that a crime is being committed, enter private places without a warrant and from what they observe, or what is admitted by those found there, make the arrests. The conviction in these cases, therefore, depends upon the conditions found and upon the admissions made by the defendants. A conflict of testimony is therefore much more likely in these cases than in the ordinary ones in which the complaining officer is himself an observer of the acts to which he testifies or was a participant in them. Because of these conflicts, not only are the magistrates more hesitant to find the defendant guilty, but the Appellate Court—the Court of General Sessions—has not as generally affirmed the conviction if an appeal is taken, as in the ordinary case.

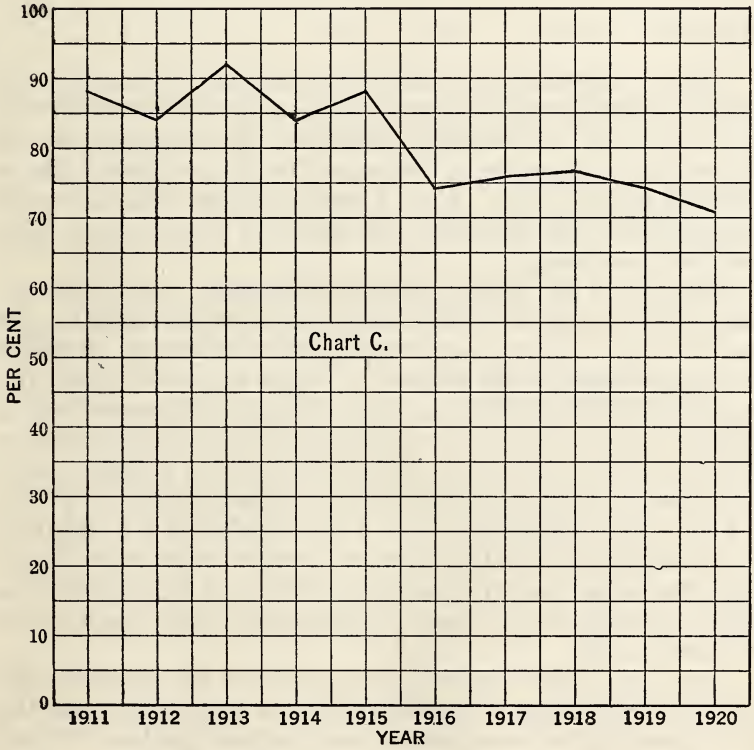
Jump Raid Cases

The proportion of prostitution cases in the Women's Court in 1920 based upon evidence secured in jump raids was 45%. A case is now pending upon appeal in which the only point made

Women's Court, Manhattan

Proportion of Convictions in Prostitution Cases

1911 - 1920



by the defendant is the inadmissibility of evidence so secured. Because of the importance of the decision in this case, affecting as it would a very large proportion of the Women's Court cases, the District Attorney has promised, should the conviction be reversed, to carry the case to the Appellate Division.

That the magistrates receive and weigh the evidence in such cases with care is shown by the proportion of convictions, it being but 62% as compared with 80% in those cases in which the police witnesses were themselves solicited.

Conviction Records

When a defendant has been convicted, she is remanded for sentence pending finger printing and report from the Health Department of her physical condition. If the magistrate so directs, an investigation is also made by the probation officers attached to the court. It is a long-standing rule that such investigations shall be made of all those not found to have been convicted previously.

Records of convictions prior to September 1st, 1910, not being available, all defendants convicted after that date for the first time were reported as having no previous record. It might be supposed that as the number of prints taken increased, the proportion not previously convicted—the first offenders—would decrease. The reverse has been the case since the discontinuance of fines in 1912, and the use of the indeterminate sentence under the Parole Commission Law (1915). Where there is a record of ten or more convictions, now very exceptional, the majority of the convictions will be found to be before these dates, especially the earlier one. Indeed, cases of three or four convictions within a twelve-month were not uncommon when the records were first taken.

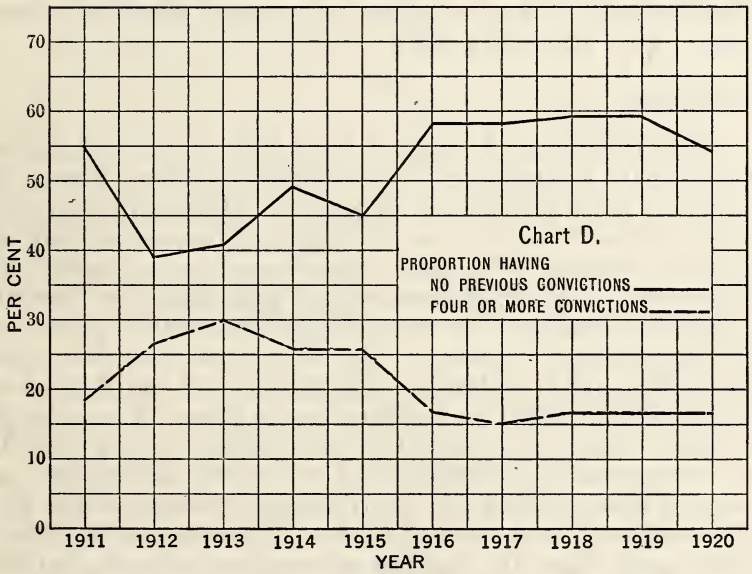
The large number convicted each year in the court for the first time, indicating a continual influx of young girls into the life of prostitution, constitutes a most serious problem. Where do these first offenders come from—why do they become prostitutes? The question has been asked for many years, and is still without satisfactory answer.

The increased proportion of first convictions and the decreased proportion of repeated offenders shown since 1916 is

Women's Courts, New York City

Conviction Records in Prostitution Cases

1911 - 1920



due in part to the inclusion of Brooklyn Women's Court cases, for only the combined figures of all boroughs are available for the years 1916-1919 inclusive. From the figures by boroughs for 1920, it does not seem probable that the rates shown on the chart differ from those of the Women's Court (Manhattan and Bronx) by more than 2%.

Disposition of Cases

Chart E (see p. 35) shows the proportion in each year of those convicted in the Women's Court of prostitution who were placed upon probation, committed to the Workhouse or reformatory institutions, and it should be studied in relation to the proportion of first offenders and repeated offenders in these years. (See Chart D, p. 33.)

Workhouse

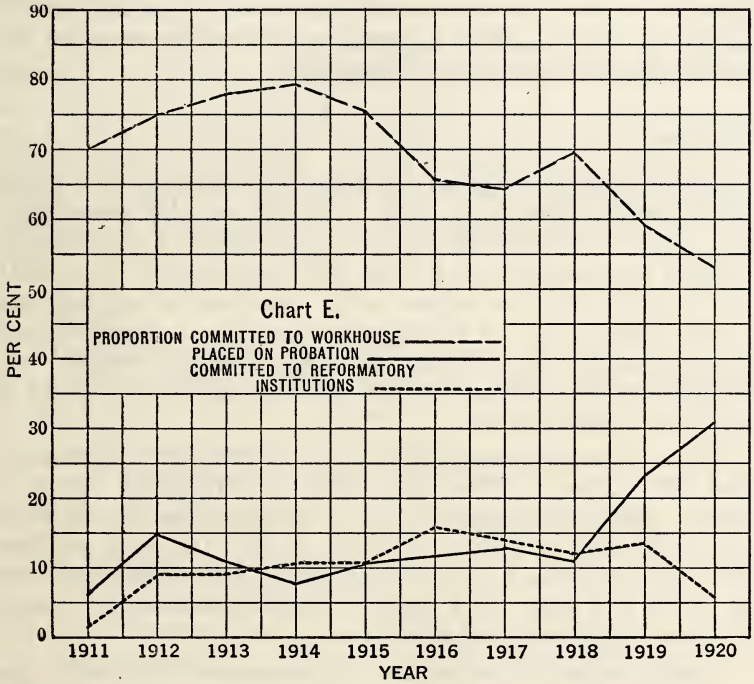
The Workhouse is a penal institution maintained by the City for the detention of those convicted of minor offenses. It is an old stone building on Blackwell's Island, with detention rooms rather than cells, the average room accommodating six or eight persons. The name "Workhouse" is a misnomer, for little work is required of the inmates. Those committed there are sometimes transferred to the city jails and district prisons to do the necessary cleaning. The Workhouse has been little modernized, and is still without segregation and classification of inmates and satisfactory sanitary conveniences. Formerly, its separate wings were occupied by men and women, but recently the former have been transferred to another institution. A hospital is maintained for the treatment of drug addicts and those suffering from venereal disease. Detention in the Workhouse cannot have the slightest reformatory influence, but the fear of such commitment does have a very deterring effect, thereby causing the prostitutes to be more circumspect in their activities, and tending to reduce the evil.

The increasing proportion committed to the Workhouse, 1911-1914, is due to the discontinuance of fines and the increasing proportion of repeated offenders. The decrease in 1916 is due to the decrease of arrests of this latter class, while the increase in 1918 may be attributed to the disclosures in that

Women's Court, Manhattan

Sentences in Prostitution Cases

1911 - 1920



year by the Federal authorities of the seriousness of venereal disease. The very material decreases in 1919 and 1920 are due to the detention in the Contagious Diseases Hospital of those found diseased, which fact is taken into consideration by the magistrates in imposing sentence.

Institutions

A brief outline of the various reformatories and agencies to which commitments are made from the Women's Court, or which are co-operating with it, has been prepared by Mrs. Menken, a member of the Committee, and constitutes a special part of this year's report. It is a summary of a study made by her in 1919 for the Committee of Fourteen.

Probation

It has already been reported how by means of the finger print identifications, cases in the court are roughly classified—those without a record of previous convictions as deserving of a chance on probation, and those with long records as unlikely to be benefited by this opportunity. Sentence is not imposed in the former until an investigation has been completed, and upon the report, the decision is made whether probation will be sufficient for reformation, or whether institutional care is needed for rehabilitation.

Since the establishment of the Women's Court in September, 1910, Miss Alice C. Smith has been the Probation Officer in charge. While the magistrates have changed from time to time, the continuance of policy has been largely the work of Miss Smith, who has been the trusted adviser of the magistrates, and the friend and helper of a long, continued succession of women who have been committed to her care.

Until the institution of the day sessions, Miss Smith was the only probation officer attached to the Women's Court. She has been assisted in her work by volunteer agencies, especially the Florence Crittenton League, the Sisterhood of the Spanish and Portuguese Congregation, and the Church Mission of Help. During 1920, three additional women probation officers, and a typist, were detailed to the Women's Court.

Probation Court

In 1920 a Probation Court was established in connection with the Women's Court, in which those completing their probation were arraigned for discharge. If the probationer has conducted herself in a proper manner, the discharge is with words of commendation from the presiding magistrate, while those who had not profited by probation are warned that if they do not mend their ways, they will be dealt with severely if again convicted.

Magistrates, 1920

Judge McAdoo, for 1920, designated Magistrates McGeehan, Mancuso and Norris to preside in the Women's Court, thus breaking for the first time his custom of so designating four magistrates. Judge McGeehan had twice been previously designated, but it was the first regular assignment of his two associates. Judge Norris had been appointed but recently a magistrate, and is the first woman to hold judicial office in New York City.

1920 Cases

During 1920 there were 1,308 cases in the Women's Court in which the charge was prostitution. These divide according to the particular acts as follows:

Disorderly Conduct, Consolidation Act, Section 1458, Subd. 2		
Loitering	123	
Soliciting	65	
		188
Vagrancy, Code of Criminal Procedure, Section 887, Subdivision 4,		
Clause a	493	
b	28	
e	86	
		607
Vagrancy, Tenement House Law, Section 150		
Subdivision 3	477	
4	27	
5	9	
		513
Total		1,308

Soliciting and loitering are both street soliciting, and the technical charge is disorderly conduct. The difference is that in the soliciting cases the evidence is of direct solicitation of the police witness, whereas in the loitering cases the evidence is circumstantial.

Clause "a" of Subdivision 4 of Section 887 of the Code of Criminal Procedure covers the cases of those who solicit, or, in the words of the law, offer to commit prostitution. Clause "b" of Subdivision 4 covers the cases of those who offer another, or offer to secure another, for the purpose of prostitution. Clause "e" covers the cases of those who rent rooms, knowing they are to be used for immoral purposes.

Subdivision 3 of Section 150 of the Tenement House Law is similar in its provisions to clause "a" of Subdivision 4, except that the acts are committed in a tenement house. Subdivision 4 makes possible proceedings against those who knowingly reside in a disorderly house in a tenement house. Subdivision 5 covers the keeping and maintaining of a disorderly house in a tenement house. The evidence and proof in these cases does not materially differ from that where the charge is a violation of Section 1146 of the Penal Law, except that the acts are in a tenement house.

Dispositions, 1920

Determinations were made between the regularly designated magistrates as follows:

By Judge McGeehan	32%
Mancuso	24%
Norris	35%

The remaining 9% represents determinations by other magistrates, bail forfeitures and cases pending December 31st.

Upon arraignment, the defendant is asked: "Do you plead guilty, or not guilty?" The proportion of pleas of guilty in the cases arraigned before the different magistrates was:

Judge McGeehan	24%
Mancuso	20%
Norris	25%

Of those who pleaded not guilty, the proportion convicted upon trial was:

By Judge McGeehan	54%
Mancuso	56%
Norris	75%

Forfeited Bail Bonds

Those arrested for prostitution may secure release by giving bail in the Police Station House for appearance in court. Bail may also be given in court for appearance for trial. Of the 1,308 cases in the Women's Court in 1920, bail was given by 46% of the defendants. Of those bailed, 75, or 12%, failed to appear for trial. The bonds given by these defendants were, with few exceptions, for $500 each, so that the total sum collected from these forfeitures was $37,500, an amount approximating the total collected in 1907 for fines in prostitution and disorderly house cases, Manhattan and the Bronx. There has been no difficulty in collecting these bonds, since the security was generally cash or liberty bonds, or a surety company was on the bond.

Sentences

Chart E shows that of those convicted of prostitution in the Women's Court in 1920, 53% were committed to the Workhouse, the average sentence being 66 days, 31% were placed upon probation, and 6% were committed to reformatory institutions. The proportion of such dispositions only, by the magistrates especially assigned to the court was as follows:

	Workhouse	*Average Sent.*	*Institutions*	*Probation*
Judge McGeehan	67%	(68 days)	6%	27%
Mancuso	60%	(52 days)	6%	34%
Norris	51%	(76 days)	8%	41%

In figuring the average length of Workhouse sentence, the indeterminate sentence under the Parole Commission Law has been assumed to be six months, the maximum term for which the magistrates can commit under the Inferior Criminal Courts Law.

Public Place Cases

Those charged with vagrancy—prostitution—under Subdivision 4 of Section 887, may have committed the acts in either a public or a private place. From an examination of the papers, it has been possible to divide these cases into two classes: Public Place or Private Place cases. Adding to such public place cases those in which the charge was disorderly conduct, loitering or soliciting, and to such private place cases those in which the charge was a violation of the Tenement House Law, it appears that the public place cases constituted 34% of the total number.

Hotels

Included among the public place cases are seventy-seven cases in which the defendant offered to commit prostitution in a hotel. These cases were divided among forty-five hotels, ranging from some of the best known in the city to others of poor class and inconspicuous. There were twelve hotels in which there were two or more arrests with resulting convictions within six months. This condition shows the need for a law licensing hotels, that the proprietors may be compelled to exercise more careful management.

Taxicabs

With the general repression of the assignation hotels in the early months of the war, as the result of the activity of the police and the co-operation with them of the brewers who supplied those hotels with beer, the prostitute and her customer found difficulty in securing accommodations. Resort was then had to taxi's and cabs. While it did not seem probable that immoral use might be made of his conveyance without the knowledge of the driver, convictions were difficult to secure. Subdivision 2 of Section 887 was amended in 1919 to make the convictions of such drivers less difficult. Evidence of knowledge sufficient for conviction, however, is still difficult to secure. Nevertheless, the police have extended their activities to the prostitutes who so use conveyances, and during the year there were seventy-one such cases in the Women's Court.

Furnished Room Houses

The 1919 amendment of Subdivision 4 contained a diminutive of the section in the Penal Law (1146) for the suppression of disorderly houses, the amendment providing that "Any person who receives or offers or agrees to receive any person into any place, house or building for the purpose of prostitution shall be deemed a vagrant." This amendment has resulted in a considerable number of cases which were not heretofore possible against the proprietors of furnished room houses who rent their rooms to transient couples, knowing the purpose of such guests was immoral acts. During the year there were 27 women arraigned in the Women's Court upon this charge. An examination of the records does not show, however, a second conviction from the same place during the year.

Tenements

During 1920, there were 513 arraignments in the Women's Court upon the charge of prostitution in a tenement. To this number should be added sixty-four cases in which the charge was renting rooms for immoral purposes (Clause "e" of Subdivision 4), in which the alleged offense occurred in a tenement house. Formerly, this charge was made under Subdivision 5 of Section 150 of the Tenement House Law, which provides that a person who "keeps or maintains a house of prostitution in a tenement house shall be deemed to be a vagrant." In these "4e" cases the complaint was not made under the Tenement House Law because some of the magistrates held that in order to prove the maintenance of a disorderly house, the evidence must show a continuing offense. In this construction of the law they cite the opinion of Judge Cardoza in People v. McDevitt, 215 N. Y., 160, above referred to.

Incorrigibility Cases

During the year, 310 women and girls were arraigned in the Women's Court under the provisions of Chapter 436 of the Laws of 1903, as compared with 214 such arraignments in 1919, and 121 in 1918.

The purpose of this law is the protection of the girl from associating with vicious or dissolute persons, and in danger of becoming morally depraved. Formerly the majority of the complaints in these cases were made by parents or guardians, and involved wild, headstrong or runaway girls. Recently, the police have sought to apply the law to those over 21 years, who have been found under such circumstances as would make the law applicable beyond question if they were minors. There is considerable discussion of the applicability of the law to these cases, but if it should be finally determined that it does not apply, some way should be sought to continue this protective work, certainly in those cases in which the woman is mentally sub-normal.

Brooklyn: Women's Court, 1920

The total number of prostitution cases in the Women's Night Court, Brooklyn, in 1920, was 154, of which 110 were charges of a violation of Subdivision 4 of Section 887 of the Code of Criminal Procedure, and forty-four were of violations of the Tenement House Law. No cases were brought under Section 1452 of the Consolidated Law, it being the custom in Brooklyn to bring such cases under Section 887.

The proportion of convictions was 65%, and it was found that 72% had not been previously convicted. There were nine cases in which the defendants had been previously convicted three times or more, so that the disposition might have been made under the Parole Commission Law. Four of the nine were sentenced under this law.

The Court and The Committee of Fourteen

The progress which has been made has been due to many agencies. First, of course, to the Chief City Magistrate, Judge McAdoo, and those of his associates whom he has assigned to sit in the Women's Court. The Committee of Fourteen has contributed its share to that part of the improvement which has been due to voluntary agencies. Its Secretary has been a constant visitor in the court and in frequent consultation with the magistrates and those attached to the court, as well as with the police officers who appeared as witnesses. Repeated tabula-

tions and studies, often at the request of the magistrates, have been made by the Committee of various phases of the court's work. These statistics have been of considerable value by giving a broader prospective and truer knowledge of the work. These studies have now developed into a monthly and quarterly bulletin, which is sent to the Chief City Magistrate, to the magistrates assigned to the Women's Court and all others interested.

The Committee's greatest contribution to the Women's Court has undoubtedly been the securing of amendments to Subdivision 4 of Section 887 of the Code of Criminal Procedure, by which prostitution was made an offense *per se*. Another improvement secured by the Committee was the amendment by which the certificate of the Tenement House Department was made presumptive evidence that the building was a tenement.

Some 1920 Cases of Interest

The Prostitute and Her Customer

In reversing upon appeal the conviction of Beatrice Edwards for prostitution in a tenement house, Judge Wadhams, of the Court of General Sessions, said:

"The men who had been found with the women were permitted to leave and the women were arrested, tried and convicted. This is not justice. The men create the market and the women who supply the demand pay the penalty. It is time that this unfair discrimination and injustice should cease.

"The Legislature, by recent amendment to the Code of Criminal Procedure, has made it clear that all who in any way participate in the offense (of prostitution) are guilty. Therefore a man who induces, entices or procures a woman to commit prostitution either with himself or with another is a vagrant, and the man who aids or abets or participates in the commission of prostitution by a woman is a vagrant, and in either case is equally guilty as the woman. It is, therefore, the duty of the police to arrest the men who are found participating in the offense and to hold them for trial.

"The Court is aware that it has been the custom, heretofore followed, to arrest the woman and let the man go, but the

time has come when the custom cannot longer be permitted to continue. Men caught with women in an act of prostitution are equally guilty and should be arrested and held for trial with the women. The law is clear and the duty of the police is to act in pursuance of the law."

In discharging a man arrested in accordance with Judge Wadhams' interpretation of the law, Magistrate Koenig said:

"Judge Wadhams' decision in respect to this feature of the law was, in my judgment, *obiter dicta.* The statement he made was extra-judicial, having no application whatsoever to the facts before the court upon appeal. The clear interpretation of the statute in view of the existing conditions (under which the amendment was introduced and passed) and the objects to be achieved was that a man should only be guilty as a vagrant when he abets, aids or assists or participates in any of the acts that lead to the act of intercourse, or he may abet or assist in the commission of any of the prohibited acts by furnishing a place or person. If he does this, he becomes as guilty as the woman who was the original mover of the transaction."

This conflict of opinion has resulted in a discontinuance of such arrests by the police. Those who agree with Judge Wadhams in his interpretation of the law hope that further arrests may be made and from a conviction, if secured, an appeal will be taken, that an authoritative opinion interpreting the law, may be secured.

Conviction Affirmed

The delays of the law which appear so unnecessary to the layman, and discouraging to those seeking its enforcement, are well illustrated in the Joseph Shenk case, which was finally determined by the Court of Appeals in March, 1920. The unlawful acts of which Shenk was convicted occurred in 1914, at which time he was operating a disorderly house in a tenement house on West 107th Street. The charge against him was the maintenance of a public nuisance, and the trial before Judge Mulqueen and a jury in the Court of General Sessions was in 1916. An appeal from the conviction was taken, upon grounds of alleged technical errors in the Judge's ruling and upon the alleged attitude of the trial judge, as shown by his questioning

of witnesses. The conviction was affirmed by the Appellate Division in 1918, after which followed a delay of two years before the final determination of the case in the highest court of appeals.

Shenk and his manager are now serving sentences of one year.

Mother and Daughters

Among the exceptional cases in the Women's Court during the year was one which involved a mother and two young daughters. Apparently the step-father was the only one who did not know what the girls were doing, for a young brother acted as a lookout. The girls pleaded guilty, admitting to the probation officer when questioned that their first sex experiences had been with the young men to whom they were engaged and that they had since been committing prostitution in order to secure the necessary money for elaborate trousseaux.

Despite the unwillingness of the girls to be equally frank as to the acts of their mother, she was found guilty by the magistrate, and sentenced to the Workhouse. The sisters were placed upon probation and shortly afterwards married the men to whom they were engaged.

Swift Case

In another disorderly house case involving a woman who had previously been several times arrested, and as often acquitted, the trial of the case was so long delayed that it did not occur until almost three years after the commission of the alleged acts. To this fact, more than anything else, can be attributed the result—the acquittal of the defendant by the jury.

Perversion Cases

While the reports from the office of the Chief City Magistrate have indicated an increase in perversion, the soliciting therefor seems to be principally upon the street, the two exceptions being a motion picture theatre in the central part of

the city and the other a saloon on the lower east side. A raid upon this latter place on a Saturday night in July, resulted in the arrest of thirty degenerates, who were later all convicted by Magistrate Corrigan. A disorderly house case against the proprietor of the place was pending December 31st, 1920.

Brooklyn Disorderly House

A young man who was discharged from the army because of tuberculosis, married a girl whom three days later he found to be a prostitute. She took him to live in a house in the neighborhood of Flatbush and Atlantic Avenues, Brooklyn, which, while nominally a furnished room house, was really a disorderly house. An investigation proving the accuracy of the man's complaint to the Committee, police officers secured evidence against the proprietress and two of the inmates. The defense was that the alleged inmates were maids in the place, but they admitted that when they showed the rooms to men, these men had relations with them, thus seeking to cloak the real purpose of the establishment. There was also evidence that some of the rooms were rented to men for permanent occupancy —also as a further cloak. Two of the three women were convicted by Magistrate O'Neill, and were sentenced by Magistrate Dodd; the proprietress to six months in the Workhouse, she having a previous record, and the inmate to the House of the Good Shepherd. From information received at the time of the raid, it was apparent that this house had been running for some time.

An Ex-Raines Law Hotel Proprietor Convicted

For many years, a saloon near Flushing Avenue and Broadway, Brooklyn, was on the Committee's Bond Protest List. Efforts to satisfactorily improve conditions being unsuccessful, a surety bond was refused the last year licenses were issued, so that the lawful traffic in liquor was prevented. Further complaints of this place coming to the attention of the police, a jump raid was made, and the evidence secured resulted in the conviction of the proprietor, who was also the owner of the building. He was placed upon probation. The original

charge made by the police was keeping a disorderly house, but, after consultation, the complaint was changed to Vagrancy, Subdivision 4, Clause "e"—renting rooms for immoral purposes. Upon finding the defendant guilty, Magistrate McCloskey stated that if the complaint had not been changed, he would have been forced to discharge the defendant on the basis of the McDevitt case. The conviction on appeal was affirmed by Judge McDermott of the County Court.

FREDERICK H. WHITIN, *Secretary.*

January 15th, 1921.

V

REPORT OF APPROPRIATIONS AND DISBURSEMENTS BY THE TREASURER FOR THE FISCAL YEAR 1919 - 1920

Contributions and Interest applicable to the year—		
General		$14,044.78
Brooklyn		1,055.00
		$15,099.78
General Disbursements:		
Salaries, Executive	$5,550.00	
" Clerical	2,545.00	
Rent	1,163.35	
Stationery	329.39	
Carfare and out of town expenses	307.22	
Postage	154.82	
Telephone	135.85	
Miscellaneous	524.95	
		$10,710.58
Investigation: Vice Conditions		
General		2,923.65
Brooklyn Disbursements:		
Clerical Assistance	500.00	
Investigation	278.20	
		778.20
Special Disbursements:		
Annual Report		378.23
Total operating expenses		$14,790.66

Office Furniture	119.40
Total disbursements	$14,910.06
Balance	189.72
	$15,099.78

FRANCIS LOUIS SLADE,
Treasurer.

The records and vouchers of the Committee of Fourteen for the fiscal year ended September 30th, 1920, have been examined by me and the total of contributions and disbursements, as shown in this report, are correctly stated in accordance therewith; the secretary's subdivision of the same into various accounts has been accepted without verification.

(Signed) PATRICK L. RYAN,
Certified Public Accountant.

October 26th, 1920.

Contributors, 1919-1920

NEW YORK

Agnew, George B.	$ 10.00
Alger, George W.	25.00
Baldwin, Mrs. Ruth Standish	25.00
Baldwin, William H.	5.00
Battle, George Gordon	10.00
Benedict, William L.	100.00
Benjamin, Morris W.	10.00
Bliss, Cornelius N., Jr.	100.00
Borg, Sidney C.	100.00
Brewster, Robert S.	500.00
Brown, Rev. William Adams, D.D.	100.00
Butler, William Allen	10.00
Buzzell, A. R.	10.00
Colgate, William	25.00
de Forest, Henry W.	50.00
Dodge, Cleveland H.	500.00
Emmons, Arthur B.	10.00
Fosdick, Dr. Harry Emerson	10.00
Fox, Hugh F.	20.00
Frank, Alfred	10.00
Glenn, Mrs. John M.	10.00
Grace, Joseph P.	500.00
Guggenheim, Simon	100.00
Hadden, Mrs. Harold F.	10.00
Halsey, Mrs. Frederick A.	5.00
Hammond, Mrs. John H.	25.00
Hazard, Mrs. Barclay	5.00
Henderson, Mrs. Edward C.	5.00
Hoe, Mrs. Richard M.	15.00
Hopping, A. Howard	2.00
Howe, Henry M.	5.00
Hoyt, John Sherman	25.00
James, Arthur Curtiss	2,500.00
Johnson, James W.	25.00
Kelsey, Clarence H.	25.00
Kingsley, William M.	25.00
Kunhardt, Wheaton B.	10.00
Lamont, Thomas W.	50.00
Lee, Frederic S.	10.00
Lewisohn, Adolph	25.00
Lewisohn, Sam A.	25.00
Liebmann, Charles J.	50.00
Lyman, Frank	10.00
McGuire, Edward J.	25.00
Macy, Mrs. V. Everit	100.00

Marling, Alfred E.	$100.00
Marshall, Louis	25.00
Mason, George Grant	250.00
Matheson, William J.	100.00
Moore, George G.	5.00
Morgan, Mrs. John B.	5.00
Morgan, William Fellowes	25.00
Murray, James B.	10.00
Notman, George	100.00
Openhym, Wilfred A.	5.00
Osborn, William Church	50.00
Parsons, Joseph	25.00
Parsons, William H.	25.00
Pedersen, Dr. James	25.00
Perkins, Mrs. George W.	25.00
Peters, William R.	100.00
Phipps, Henry	100.00
Plaut, Joseph	15.00
Post, Abram S.	10.00
Pratt, Harold I.	100.00
Punnett, James	10.00
Rockefeller, John D., Jr.	2,500.00
St. Michael's Church	25.00
Sabin, Charles H.	100.00
Satterlee, Mrs. Herbert L.	50.00
Schiff, Jacob H.	100.00
Schiff, Mortimer L.	100.00
Seligman, Mrs. Isaac N.	250.00
Sherman, Charles A.	10.00
Simkhovitch, Mrs. V. G.	5.00
Slade, Francis Louis	250.00
Slattery, Rev. Charles L.	10.00
Smith, Ormond G.	10.00
Stimson, Henry L.	10.00
Stokes, Mrs. Anson Phelps	100.00
Stone, Miss Ellen J.	25.00
Straight, Mrs. Willard D.	500.00
Straus, Percy S.	750.00
Strauss, Frederick	100.00
Terry, Mrs. John T.	100.00
Todd, Professor Henry A.	5.00
Tuckerman, Alfred	25.00
Villard, Mrs. Henry	10.00
Warburg, Felix M.	500.00
Ward, Artemas	100.00
Watson, Mrs. J. Henry	10.00
Wise, Edmond E.	100.00
Wolff, Mrs. Lewis S.	10.00
Wood, J. Walter	25.00
Zabriskie, Mrs. George	5.00

BROOKLYN

A Friend	$100.00
"B. C. F."	100.00
Childs, William Hamlin	250.00
Low, Josiah O.	100.00
Low, Mrs. Mary T. F.	50.00
Merritt, Mrs. J. H.	5.00
Post, James H.	100.00
Pratt, Mrs. Frederic B.	100.00
Schram, Louis B.	25.00
Sherman, Mrs. Charles E.	5.00
Tousey, Miss Elizabeth	10.00
White, Alfred T.	100.00
White, Miss Frances E.	100.00
Zabriskie, Mrs. Cornelius	10.00

THE COMMITTEE

1920-1921

Mr. John G. Agar
Mr. George W. Alger
Hon. Charles W. Appleton
Rev. Robert Bachman, jr.
Mr. William H. Baldwin
Dr. Lee W. Beattie
Mr. Herbert L. Bodman
Commander Evangeline Booth
Mrs. Sidney Borg
Dr. William Adams Brown
Mr. Edmond J. Butler
Mr. William Hamlin Childs
Rev. William A. Courtney, D.D.
Mr. James S. Cushman
Mrs. Robert L. Dickinson
Dr. Bernard Drachman
Mrs. John M. Glenn
Mrs. Barclay Hazard
Mr. Walter G. Hooke
Miss Caroline Linherr
Mr. Josiah O. Low
Mr. Edward J. McGuire
Mr. Alfred E. Marling
Mrs. Mortimer M. Menken
Mr. Charles E. Merrill, Jr.
James Alexander Miller, M.D.
Miss Maude E. Miner
Dr. Henry Moskowitz
Mrs. Henry Moskowitz
Hon. Howard P. Nash
James Pedersen, M.D.
Mr. Bryan F. Peters
Dr. John P. Peters*
Mrs. Frederic B. Pratt
Mr. George Haven Putnam
Mrs. V. G. Simkhovitch
Mr. Francis Louis Slade
Mr. Percy S. Straus
Eugene L. Swan, M.D.
Mr. Lawrence Veiller
Mr. Frederick H. Whitin

*Deceased.

1920-1921

OFFICERS OF THE COMMITTEE

Honorary Chairman.....Dr. John P. Peters
Chairman.....Mr. Percy S. Straus
Vice-Chairman.....Mr. Edward J. McGuire
Treasurer.....Mr. Francis Louis Slade
Secretary.....Mr. Frederick H. Whitin

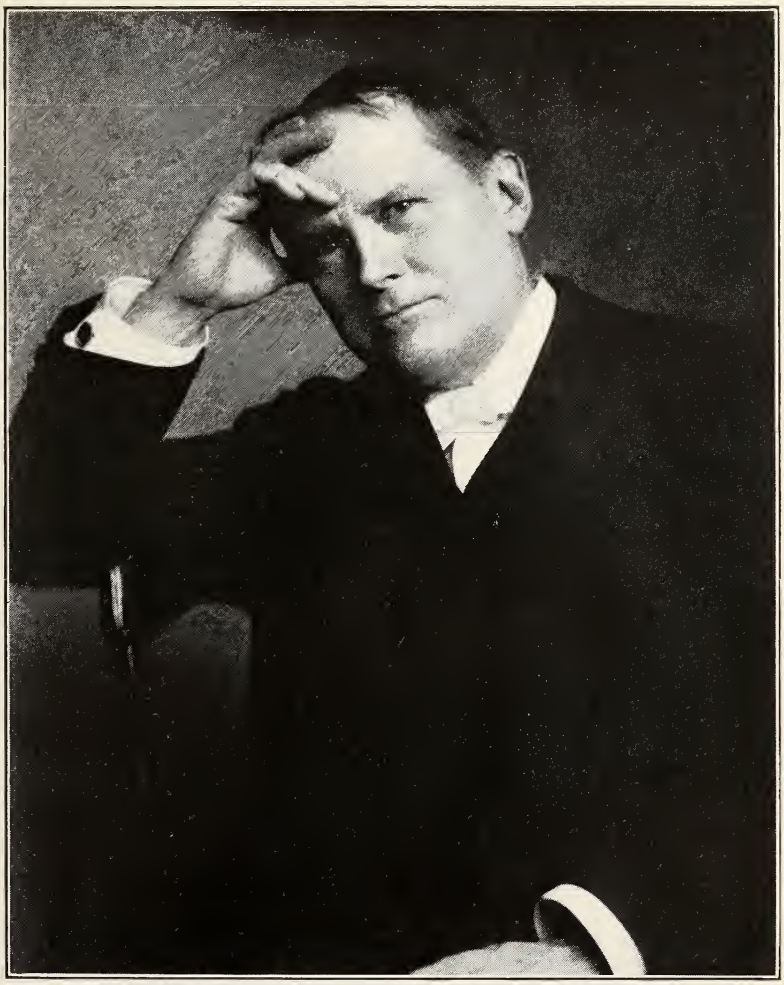
Directors

Mr. Percy S. Straus, *Chairman*
Mr. George W. Alger
Hon. Charles W. Appleton
Dr. Lee W. Beattie
Dr. William Adams Brown
Mr. Edmond J. Butler
Mr. James S. Cushman
Mrs. John M. Glenn
Mr. Edward J. McGuire
Mrs. Mortimer M. Menken
Mrs. Henry Moskowitz
Dr. James Pedersen
Mr. Francis Louis Slade
Mr. Lawrence Veiller

Law Committee

Mr. Edward J. McGuire, *Chairman*
Mr. George W. Alger
Hon. Charles W. Appleton
Mr. Walter G. Hooke
Mrs. Mortimer M. Menken
Hon. Howard P. Nash
Mr. Lawrence Veiller

(For Officers and Directors for 1921-1922 see page 14)



DR. JOHN PUNNETT PETERS

Chairman 1905-1921
Honorary Chairman 1916-1921

The Committee of Fourteen at its Annual Meeting on November 17th unanimously adopted the following Minute on the occasion of the recent death of Dr. John Punnett Peters.

In the death of the Reverend John Punnett Peters, D.D., the Committee of Fourteen has lost a wise counsellor, a loyal supporter and a trusted leader. Associated with the Committee from its foundation, its Chairman during the formative period when its policy was being shaped and its principles tested, laying down his office only when ill health made his resignation imperative, but continuing as Director and Honorary Chairman to give himself unsparingly to its interests, he won the affection of his colleagues, young and old alike, for his courage, wisdom and unselfishness. Even in absence we turned to him in our thoughts, and when he was with us drew unreservedly upon his rich store of judgment and experience.

The Committee of Fourteen was but one of Dr. Peters' many interests. A clergyman of the Protestant Episcopal Church, Rector of St. Michael's from 1893 to 1916, and thereafter Rector Emeritus, he played a large part in the religious history of the city. A ripe scholar, he conducted excavations on the site of Nippur, made important discoveries and defended his conclusions in vigorous fashion. An author of distinction, he wrote on themes as widely separated as Assyriology and civic righteousness and showed himself at home in each. In his history of St. Michael's he made a permanent contribution not only to the records of the parish, but to the city of which it is a part.

He was a trustee and officer of many charitable and educational institutions, President, ex-officio, of the Bloomingdale Clinic; Canon and Trustee of the Cathedral of St. John the Divine from 1904 to 1910; Trustee of the Protestant Episcopal City Mission Society from 1906 to 1918; Trustee of Hobart College from 1903 to 1914; Trustee of the Sheltering Arms from 1894, and of the House of Rest and Hospital for Consumptives from 1897. A staunch believer in the social practicability of the Christian religion he was active in every movement for good government in church and state. He served on the Social Service Committee of the Diocese of New York from 1912 to 1916, on the Social Service Commission of the

Protestant Episcopal Church from 1918, and on the Social Service Commission of the Federal Council of the Churches. From 1896 to 1916 he served as President of the West Side Independent Club which was the successor of Good Government Club "B". He was Chairman of a Committee for the Relief of Amsterdam Avenue from Four Street Railway Tracks and of the Committee for the Extension of Transfers on street car lines. He was President of the Transit Reform Committee of 100 and a charter member of the City Club.

It is not too much to say that of all his civic interests the Committee of Fourteen was nearest his heart. It gave full scope for his special powers, the courage that would fight when fighting was necessary, the patience that could wait when discretion was the better part of valour. In his history of the Committee he has told, as no one but he could tell, the story of the origin of the Committee and the work which it set out to do. It must have been no small satisfaction to him to live to see the time when it was so nearly accomplished.

It is not the purpose of this minute to retell this familiar story, but simply to put on record the feeling of his colleagues for their honored friend and leader. This cannot be better expressed than in the words of one who, like him, was a charter member of the Committee and who has been active in its service ever since:

"I look upon Dr. Peters as one of the rare men who had the graces of a true Christian combined with wonderful common sense, quick to grasp the problem in hand and see it from all sides, with conservatism sufficient to prevent his running amuck in matters of reform, frowning on anything bordering on the sensational, ever aiming at results that were worth while, the wisest of counsellors, hating 'trimming,' but most fearless in standing to his ideals which were of the highest Christian type.

"I do not know among all my acquaintances a man who in a small body contained such a large amount of determination in carrying his point, but always with a gentleness that did not awaken resentment, but rather won you to his way of thinking."

To Dr. Peters' wife and children we would extend the assurance of our heartfelt sympathy in their sorrow and ask them to receive this minute as an expression of the affection and esteem with which he was regarded by those who were so long associated with him in the work he loved.

REPORT OF THE CHAIRMAN

I.

LANDMARKS IN VICE REPRESSION

NEW YORK CITY

1905-1921

In the Foreword of the Committee's Report for 1919-1920 it was stated: "New York has less open vice than any of the world's largest cities." This statement has been used during the past year in such a way as to give the impression that the Committee stated that vice no longer existed in New York, and it has been claimed that the suppression has been an accomplishment of the present municipal administration.

Unfortunately, vice does still exist and prostitution is still an evil that can be suppressed only by continual vigilance and police activity. But that New York is the cleanest of the world's largest cities is true and was true in 1918. The actual cleaning process was prior to that date. The contribution of the present municipal administration has been to prevent backsliding; the initiating of action towards improved conditions being limited to hotels. The Secretary included, as part of his report to the Committee for 1914, a "Comparison of Vice Conditions, 1905-1914," which showed most encouraging progress in the repression of commercialized vice between those dates. Progress has continued, though the results have not been as noticeable because of the previous accomplishments.

Some of the landmarks on this road of progress are:

1905. The development of central office vice squads by Police Commissioner McAdoo, now Chief City Magistrate. In that year alone, 1450 disorderly house keepers were arrested by the police.

1906. Prentice Law secured, amending the Liquor Tax Law, effecting a reduction of 50 per cent in the number of "Raines Law" hotels.

1907. First Night Court established to deal in part more effectively with cases of street solicitation by prostitutes.

1908. Liquor Tax Law amended to provide for the penalization of licensed premises proved to be disorderly. The co-operation of Excise Commissioner Clement and Police Commissioner Bingham effected the closing of the most notorious Bowery resorts.

1909. The Page Commission investigation of the Inferior Criminal Courts, results: an improved Court of Special Sessions and the establishment of the Night Court for Women, with its use of finger print identification.

1910. 1. A White Slave Traffic investigation by a special Grand Jury, result: legislation greatly strengthening existing laws against procurers and pimps. Indictments found by it against notorious resort keepers lead to an exceptionally large proportion of convictions and to heavy sentences. 2. A charter amendment was secured licensing dance halls. It was the refusal of a dance hall license which forced the closing of the notorious resort called the Haymarket.

1912. 1. The discontinuance in the Women's Court of the fine as the customary sentence in prostitution cases. 2. The cessation of police tolerance of disorderly houses.

1913. The Tenement House Law amended, strengthening its provisions both in regard to prostitutes who operate in tenements and owners who tolerated such tenants.

1914. Herrick Injunction and Abatement Law passed. This law was modelled upon the Iowa Law which had been found especially effective in closing segregated districts.

1915. 1. The Code of Criminal Procedure amended, widening the definition of Vagrancy to include those who solicited for prostitution in any place, public or private. Until then, solicitation was an offense only if made upon the street or in a tenement house. 2. The Parole Commission Law passed, permitting an indeterminate sentence of four times the previous maximum in the case of a prostitute previously convicted three times or more.

1916. Ordinance adopted requiring the licensing of massage institutes, many of which were merely disorderly or perversion resorts. This ordinance is stated by the present Commissioner of Licenses to have proved most effective.

1917. A recognition of the evils of prostitution by Congress, through the adoption of Sections 11 and 12 of the Selective Service Act, followed by the organization of a national effort to prevent venereal disease from destroying the efficiency of the Army and Navy.

1918. 1. Health Law amended to give the authorities power to detain those suffering from venereal disease. 2. The change of hours of session of the Women's Court from night to day, resulting in increased effectiveness.

1919. The 1915 Code definition of prostitution widened to include those who rented rooms for immoral purposes or who aided, abetted or participated in the activities of prostitutes.

Hotels.

The suppression of the disorderly hotel has been progressive throughout the whole period. The Prentice Law, the Penalty-Upon-the-Place amendment to the Liquor Tax Law, the convictions following the indictments by the Special Grand Jury of 1910, and the decrease of street soliciting, due to the effectiveness of the Women's Court proceedings, were all factors in the accomplishment. Likewise the co-operative effort of the Brewers, Surety Companies and the Committee of Fourteen during 1907 to 1917. This last mentioned method of reform was especially effective with the smaller and widely scattered places, which, while a serious menace, could not be reached by criminal proceedings.

The final efforts by which present hotel conditions were secured were the sustaining by the Magistrates (1918) of police surveillance of certain notorious resorts; the general adoption by the police under Commissioner Enright of this method of repression; and the refusal of the brewers, at the request of the police, to supply beer to these many hotels.

Further Factors in Securing Improvement.

Credit for the improvement is due, first and foremost, to public opinion, which is reflected in the Acts of the Legislature,

the sentences imposed by the Judges of the Courts and the activities of the Police and Excise Commissioners; and to the Brewers and Surety Companies acting independently of the Law Enforcement Agencies of the State.

The Committee of Fourteen has been in no small measure the instrument for the expression of changing public sentiment towards what was formerly called the Necessary Evil. Its continued support by voluntary subscription is a concrete evidence of such public opinion. All of the legislation adopted to suppress prostitution in the past fifteen years has been promoted or actively supported by the Committee. Improved procedure, affecting prostitutes in the courts, has been adopted in many cases by the judges after studies had been made by the Committee. Its Study of Law Enforcement, published in 1909, was the forerunner of a long series of Vice Reports throughout the country. Its policy from the beginning has been to co-operate with the authorities and with other volunteer agencies. It is the duty of public officials to enforce existing laws; few public officials have time to study the results or seek amendments which would remove existing difficulties to effective enforcement. This, the Committee of Fourteen has sought to secure in the limited and difficult field of vice repression, unaccompanied by sensational publicity.

Vice Conditions, 1921.

Open, officially tolerated vice (prostitution) has not existed in New York City for many years. This does not mean that vice has been entirely suppressed, or even entirely repressed, or that officials have always vigorously proceeded against all resorts or persons to which exception might properly be taken.

Cases in the Women's Court show a considerable amount of vice. In 1921 the cases numbered over 1668, an increase of 21% as compared with 1920. The details of a few of the many cases in which the Committee took an active part, are reported by the Secretary. Many more cases might have been secured by the police, had they been supplied with more abundant funds. Occasional investigations with more liberal funds indicate that the man with means, who seeks the prostitute, can find her in restaurants and in hotels through bellmen and waiters. The present day prostitute takes her customer to a

quiet flat, or is to be found there by him. As the police make one way of doing business dangerous, she seeks another. Each change, however, tends to make the business more hazardous, reduces the gain, and hence, the traffic.

The police are seriously hampered today in their endeavors to close questionable resorts and apprehend prostitutes, first, by lack of funds, and secondly, by the limitations imposed by the judges upon the methods of getting evidence—limitations as to degree of entrapment. The Board of Estimate cannot be criticised justly for failure to increase the Police Contingent Fund so that it corresponds with the increase in the cost of securing evidence of vice, when New York admittedly leads in Vice Repression. However, it is hoped that the Board may see its way clear in the near future to a more liberal allowance.

The problem of entrapment is likewise a difficult one. The reluctance of the judges to convict in cases wherein it is a possible element could be unequivocally commended was the purpose of modern criminal law only to punish. However, the state seeks no longer only to punish but as much to save the individual as society. Suppose a woman was entrapped by a police officer into offering to commit prostitution. Does it not indicate that she bears the mark of her profession and needs the care and protection of the state to prevent further degradation? If she be an old and clever offender, who compels the prospective customer to act so that a conviction would be impossible under present practice was he a police officer, she is less a menace than formerly, only in so far as, by such caution, she limits the evil which she does. Should not such a one be convicted and restrained for her own and the civic good? It is hoped that the Judges will be less cautious in the future in drawing the line on the question of entrapment.

II.

LEGISLATION

In your Chairman's Report of last year it was recommended that a law be secured for the licensing of hotels. Although the draft of such a law was prepared by the Legislative Committee, and seemed to disinterested persons to be eminently fair, it was opposed by the hotel interests and received but scant consideration in the Legislature. The opposition was not to any detail of the law but to a declared belief that it was unnecessary and would impose an unwarranted burden upon a large group of law-abiding citizens for the sake of restraining a limited number whom it was held could be reached by the Penal Law. The Committee does not agree with this latter opinion, because repeated arrests and convictions of hotel employees for procuring women for immoral purposes rarely involves their delinquent employers. The details of several such cases will be found later in the Report, including a special one involving an interesting point of law.

There was a decrease of such cases during the closing months of the Committee's year, but whether this was due to improved hotel conditions or to relaxed effort by the police to secure such cases, due to lack of available funds, is a matter of speculation.

Appeals.

Another recommendation of last year was an amendment to the procedure on appeals from convictions in the Magistrates Courts, the Committee's interest being particularly in the Women's Court cases. The Committee actively supported such an amendment, and while it was passed by the Senate, the Rules Committee of the Assembly failed to report it during the closing hours of the session.

A following section in this report will deal in considerable detail with the Court of General Sessions as an Appellate Court. The only existing official statement of this phase of the Court's work is a brief reference in the Magistrates' Report, showing the number of appeals and the results.

III.

NEXT STEPS AND PUBLIC OPINION.

Twenty years ago, indeed even ten years ago, the public generally believed prostitution to be a Necessary Evil of society, and agreed with the statement in a Grand Jury (New York) presentment of 1876 that, "It is quite settled that legislation to suppress prostitution is, and must be, ineffective." It was also held that segregation was the best possible method of dealing with the evil, with such health regulation as was possible, to limit the spread of the resulting diseases.

It must have seemed that the Pennsylvania physicians, who, in 1874, declared "The welfare of society demands that all men shall be amenable to the same standard of morals as is required of women were as prophets crying in the wilderness. Their's was indeed a vision, but one which many nowadays hope to see realized. Thirty years later, Dr. Prince A. Morrow founded the first Society of Sanitary and Moral Prophylaxis, with a program of sane sex instruction. Its successor, The American Social Hygiene Association, became the right arm of the National Government, and was all but absorbed into The War and Navy Departments' Commissions on Training Camp Activities. It is re-established today more actively and aggressively than before, with departments of education, law enforcement and medicine.

In 1913, 300 leading American physicians signed a pronouncement that sexual continence was not incompatible with health. Dr. Abraham Flexner's impartial investigation of European methods of dealing with sexual vice gave an effective, negative answer to the argument that America should adopt Continental methods because of their proved success. While admittedly men cannot be made good by law, temptations to evil can be removed, or at least, reduced, by the vigorous enforcement of the laws against vice.

While New York has been justly proud of the results secured by the Women's Court, its procedure has been frequently criticised and especially by certain English visitors, as penalizing only one partner to the act. This is really a criticism of existing State law rather than court practice. The special court deals only with cases of women, punishing only those who are persistent offenders, helping to social rehabilitation, the novice and the casual.

Committee Action.

The Committee of Fourteen during the past year was urged to ask for the enactment of legislation to make the payment of money for illicit sexual intercourse an offense; that is, to make it possible to proceed successfully against the customer. At a special meeting of the Committee, called to consider this question, the following resolution was adopted:—

> "It is the opinion of the Committee of Fourteen that it is desirable for the accomplishment of its purpose—the suppression of commercialized vice—to proceed against the customer in any way which is most practicable."

Test Case.

Following its long-adopted custom, the Committee directed its executive to secure a case which would test the sufficiency of existing law, which reads in part: A vagrant is one who induces, entices or procures another to commit prostitution or lewdness, or who aids, abets or participates therein. Such a case resulted from a raid by the police made in July. At the trial of the madam and inmates, the customer, a business man of considerable wealth, was subpoenaed by the defense. After the conviction of the women, he was arrested upon a warrant issued by Chief City Magistrate McAdoo, upon a complaint which charged the defendant with inducing, enticing and procuring another for a lewd purpose, and aiding, abetting and participating therein. The defense was solely technical, viz., the law did not cover the facts alleged. Such was the decision of Magistrate Ryttenberg, who accepted a comprehensive opinion by an Iowa court, which held that a statute which made it a crime to resort to a house of ill fame for the purpose of prostitution did not apply to a man who went there as a customer, but only to the actual female prostitute, because prostitution is a practice of women only. He quotes also from an opinion of the New York Court of Appeals, in which it was held that prostitution does not consist of a single act, or an isolated act of unlawful sexual intercourse, but represents "some measure, even though brief, of continuity and permanence." He also cites another New York case, in which "it was held that a person who participates in a game of draw poker in a gambling house, with a common gambler who is acting as dealer and game keeper, is not an accomplice." On the point raised by the prosecution, that the customer was an accomplice of the

prostitute, Magistrate Ryttenberg says: "A man participating therein cannot be held as a principal because the nature of the act is such that he cannot in fact be a principal under any circumstances, and therefore, cannot be made a principal by Section Two of the Penal Law." And finally, in support of his opinion, the Magistrate cites an old New York case which held that the person who purchases liquor is not an accomplice of the seller.

His conclusion from these authorities is: "Only those who are connected with her (the prostitute's) business and are, therefore, engaged in commercialized vice, can properly be said to participate in and to aid and abet her in her prostitution."

Upon the other part of the charge against the defendant in the test case, Magistrate Ryttenberg in his opinion says: "The words 'induce, entice and procure' read in connection with the word 'procuring' refers to the business of procuring, and the word 'procure' has nothing to do with the seeking of a prostitute as a personal companion. It relates to the business of obtaining a prostitute as a companion for a man; it refers to the business of a pander or procurer."

Possible Legislation.

Present law having been found insufficient, the question suggests itself whether the Committe should seek the drafting and legislative adoption of an amendment which will make it an offense for a man to buy what the prostitute has to sell.

This step is probably in advance of general public opinion of today, but so, too, were the efforts to suppress open vice when taken ten years ago. It is the duty of a Committee such as The Fourteen to lead public opinion, by urging the enactment of more effective laws for the accomplishment of its mission and to secure their effective enforcement.

Whether or not such legislation is so far in advance of public opinion that its enforcement would be generally unpopular, and hence impossible, requires the most careful consideration. Nothing is so detrimental to the development of respect for the law as the placing of statutes in the Code that will not be obeyed. It is, therefore, the duty of an organization whose object is the enforcement of law, to proceed slowly where its activities might tend to defeat its own purpose.

PERCY S. STRAUS,
Chairman.

ANNUAL MEETING

November 17th, 1921.

In the absence of the Chairman, the Vice-Chairman, Mr. Edward J. McGuire, presided. The report of the Treasurer was received and directed to be published. The Secretary submitted an outline of his Annual Report.

The resignations of Rev. Robert Bachman, jr. and Mr. William Hamlin Childs were received and accepted with regret. A committee was appointed to prepare a suitable resolution upon the death of its Honorary Chairman, Dr. John P. Peters.

The Vice-Chairman reported that during the year the following had been elected members of the Committee:

Mr. John G. Agar
Mr. Charles R. Merrill, Jr.
Mr. Bryan F. Peters

The officers elected for 1921-1922 were:

Mr. Percy S. Straus, *Chairman*
Mr. Edward J. McGuire, *Vice-Chairman*
Mr. Francis Louis Slade, *Treasurer*
Mr. Frederick H. Whitin, *Secretary*

The following were elected Directors for the ensuing year:

Mr. Percy S. Straus, *Chairman*

Mr. George W. Alger
Hon. Charles W. Appleton
Dr. Lee W. Beattie
Dr. William Adams Brown
Mr. Edmond J. Butler
Mr. James S. Cushman
Mrs. John M. Glenn
Mr. Edward J. McGuire
Mrs. Mortimer M. Menken
Mrs. Henry Moskowitz
Dr. James Pedersen
Mr. Francis Louis Slade

Mr. Lawrence Veiller

REPORT OF THE SECRETARY

I.

THE COURT OF GENERAL SESSIONS AS AN APPELLATE COURT

Persons convicted in the Magistrates' Courts in New York County (Manhattan) may move for an allowance of an appeal in Part One of the Court of General Sessions. The granting of such an allowance is optional with the judges of the court—a fact which is exceptional in criminal procedure. The proceeding is also exceptional in that the appeal is determned by one judge, and not by a bench of three or more as with all other appeals. If allowed, it is determined upon the typed, stenographic minutes of the trial, the magistrate's return, and the arguments of the defendant's counsel and the District Attorney.

The determination of such appeals, as to the sufficiency of the facts and upon the law, materially affect the decisions of the magistrates, and hence, the police and the public. The court which is most affected, considering the number of cases tried in it, is the Women's Court. A reversal in an important case made some years ago resulted in the reduction of the number of cases from 303 in April to 85 in July, and while afterwards the number increased, it has never since been over 200 in any one month.

The total number of motions for allowance of appeal is not known, since with but one exception the judges of the court do not make formal entry of denials. It is not improbable that such motions are granted as a matter of course, because of the general procedure of granting an appeal to the defendant from a conviction. Moreover, many such motions are in reality for a modification of sentence, a power no longer vested in the magistrates.

During 1921, 13 motions for allowances of appeals were denied, of which 8 were by Judge Nott. Twenty-seven motions which had been allowed were withdrawn by the defendant, or dismissed by the Court because of failure to complete.

In the 125 cases in which decision was rendered, the charge and determination were:

APPEALS DETERMINED, 1921

Offense		Affirmed		Reversed
Disorderly Conduct		56		29
Traffic		8		3
Others		5		5
Women's Court Cases:				
Incorrigibility	1		0	
Loitering and Soliciting	1		0	
Vagrancy, C. C. P.	8		1	
Tenement House Law	5	15	3	4
		84		41

The convictions in these cases were by 24 different magistrates. The judges by whom the appeals were determined and the detail of the latter were:—

APPEAL DECISIONS, 1921

Judge	Total Cases	Judgment of Conviction: Affirmed	Affirmed Sent. Mod.*	Reversed
Crain	5	2	2	1
Koenig	12	3	5	4
McIntyre	40	16	11	13
Mulqueen	14	4	4	6
Nott	18	9	4	5
Rosalsky	5	1	1	3
Talley	31	12	10	—
Total	125	47	37	41

While the judgment of the Magistrate was affirmed in two thirds of the cases appealed and determined, the sentence imposed in the lower Court was modified in over half of these cases. A few of these modifications have been upon the recommendation of the magistrate who imposed, sentence,

*Sentence modified.

or upon the plea of the principal witness for the prosecution. It would seem apparent, however, that in many cases the judges of the Court of General Sessions, who, as such, are sentencing convicted felons to state prisons, feel that the sentences of the magistrates for offenses, rather than crimes, are proportionately too heavy.

The Committee of Fourteen is especially interested in the appeals from convictions in the Women's Court. There were but 19 appeals from the 1105 convictions, and of these 15 were affirmed. The percentage, 79, compares with 64% of affirmances in cases not originally determined in the Women's Court.

Law and Police Action.

The most important opinion rendered during the year in a Women's Court case on appeal was by Judge Mulqueen, wherein he reversed a conviction upon both the law and the facts. The point of law has been one of considerable difference of opinion for some time and affects 40% of the cases in the Women's Court. The determination of the point is thus of very great importance to those interested in the court and the repression of prostitution, for if evidence secured by this method is inadmissable as is held by Judge Mulqueen, such methods must be discontinued, which would be an increased handicap to repressive endeavors.

Judge Mulqueen having decided the case referred to "upon the law and the facts," the People by the District Attorney cannot—under the present Code of Criminal Procedure —move for an allowance of appeal to the Appellate Division with its bench of five judges. It is hoped that if a conviction is reversed in some future case on appeal involving this same point, the reversal may be "upon the law" only, for then the Disrict Attorney will be able to take the case to the Appellate Division for its authoritative determination of the law.

II.

WOMEN'S COURT

Manhattan and Bronx.

1921

The separate Court for Women was organized in 1919, the Women's Night Court being then discontinued. During 1921, 2753 persons were arraigned in this Court. This is an increase of 188 cases as compared with 1920.

Detail of Cases.

The cases, according to the character of the crime and offense alleged were:

	1921	1920
Prostitution	1668	1312
Incorrigibility	392	312
Petit Larceny (Shop-lifting)	653	842
Drug Addiction	17	82
Others	23	17
	2753	2565

Prostitution cases increased 356, as compared with 1920 and were 655 less than in 1919.

The charges in detail in the 1921 prostitution cases were:

Disorderly Conduct, Consolidation Act.		
Section 1458, Subd. 2:		
Loitering on the street for the purposos of solicitation	202	
Solicitation on the street	98	
		300
Vagrancy, Code of Criminal Procedure,		
Section 887, Subd. 4:		
Clause a—Offering to commit prostitution	655	
b—Offering to secure another for the purpose of prostitution	33	
e—Renting rooms for immoral purposes	130	818
		818
Vagrancy, Tenement House Law, Section 150:		
Subd. 3—Offering to commit prostitution	508	
4—Knowingly residing in a disorderly house	37	
5—Keeping a disorderly house	5	550
		550

The number of street cases in 1921 increased 60% as compared with 1920.

Public Place Cases.

The records show that 35% of the acts alleged, occurred in public places, an increase of but 1% as compared with the

preceding year. This proportion indicates that there is considerable solicitation in public places, despite the generally recognized impression of its suppression.

During the year, women were convicted of offering to commit prostitution at 15 hotels on two or more occasions, while there were 22 other hotels in which such arrests, resulting in convictions, were made once.

Bail Bonds.

Of those arraigned charged with prostitution, 39% secured their temporary release upon bail, the bond required in all but exceptional cases being $500. Of those giving bail, 74, or 11%, failed to appear for trial. The security given in a large proportion of the cases is either cash or liberty bonds, hence the District Attorney has no difficulty in making collection of the forfeited bonds.

Bail was given by professional bondsmen for 63% of those bailed. Methods of regulating the activity of the professional bondsmen, personal or corporate, in all courts is now being considered by public officials and the Bar Association.

Magistrates.

Chief City Magistrate McAdoo designated Magistrates McGeehan, Mancuso and Norris to preside in the Women's Court, and beginning July 1st, Magistrate Silberman.

The proportion of cases determined by the Magistrates so assigned was:

Judge Mancuso	19%
Judge McGeehan	25%
Judge Norris	33%
Judge Silberman	17%
Others	6%

Determinations.

The result of the cases was:

Discharged	466	
Convicted	1105	
Bail forfeited	74	
Pending December 31	23	
		1668

Convictions upon Plea and Trial.

The proportion of pleas of guilty accepted by the Magistrates and the proportion of those found guilty upon trial, together with the total proportion convicted, was:

Magistrate	Pleaded Guilty Per Cent.	Found Guilty After Trial Per Cent.	Pleaded Guilty & Found Guilty Per Cent.
Mancuso	24	41	54
McGeehan	21	50	61
Norris	28	84	88
Silberman	19	56	65
Others	20	82	86
All cases	23	62	71

The average percentage of pleas of guilty, 23%, is the same as in 1920, and compares with 14% in 1919, 21% in 1918 and 22% in 1917.

The proportion found guilty after trial, 62%, compares with 63% in the preceding year, 62% in 1919, 72% in 1918 and 70% in 1917.

Dispositions.

In the following table of sentences, only one of the various factors that enter into the determination as to sentence has been considered, but this factor is the most important, the defendant's record of previous convictions.

SENTENCES.	No previous convictions		1 or 2 prev. convictions		3 or more prev. conv.	
Workhouse:						
Indeterminate Sentence	0		6		82	
6 mos.—120 days	17		41		46	
100-90 days, found to be diseased	64		58		19	
90-60 days, found not to be diseased	8		39		22	
30 days	17		29		14	
29-1 day	59	165	31	204	0	183
Institutions:						
Bedford Reformatory	23		11		7	
House of Good Shepherd	34		17		1	
Others	2	59	0	28	1	9
Probation		189		4		0
Probation-Hospital		30		0		0
Other Dispositions		6		2		1
Hospital before sentence		220		4		1
		669		242		194

Those with a record of previous convictions are committed to the Workhouse in all but the most exceptional cases, and if reported to be suffering from venereal disease, the period of commitment is 100 days, which the Magistrates have been informed by the Health Department, is on the average, sufficient to effect a cure.

The Magistrates send those not previously convicted, but found to be suffering from venereal disease, to the Health Department's Hospital at Kingston Avenue, Brooklyn, for treatment, postponing sentence. Upon discharge from the hospital as no longer suffering from such disease in a contagious stage, such persons are returned to court for sentence.

Disposition After Hospital Detention.

SENTENCES.	No previous convictions	1 or 2 prev. convictions	3 or more prev. conv.
Institutions:			
Workhouse	16	0	1
Bedford Reformatory	10	1	0
House of Good Shepherd	13	0	0
Other	1	0	0
Probation	132	3	0
Other	5	0	0
Remaining in Hospital	43	0	0
	220	4	1

Thus the majority of women who have been detained in the hospital are placed upon probation.

The cases reported in the third column of the table of dispositions might all have been given the indeterminate sentence under the Parole Commission Law, which provides for a maximum sentence not to exceed two years. The question as to whether the Parole Commission Law is mandatory in its provisions is one which still remains undetermined.

Fifty per cent of the convicted were sentenced to the workhouse, as compared with 53% in the preceding year. The percentage committed to Reformatory Institutions was 11% as compared with 7% in 1920, while the proportion placed upon probation was 32% in 1921 and 35% in 1920.

Conviction Records.

The proportion convicted reported by the Fingerprint Bureau to be without record of previous conviction was 61 per cent, as compared with 57 per cent in the preceding year, 62 per cent in 1919, and 70 per cent and 72 per cent respectively, in 1918 and 1917. (These high percentages were undoubtedly due to war conditions.)

The proportion of persistent offenders, those convicted three times or more, and hence subject to sentence under the Parole Commission Law was 17 per cent, as compared with 19 per cent in 1920, 12 per cent, 13 per cent and 15 per cent in the preceding years.

The problem of those convicted but once, where they come from and what may be their life afterwards, remains to be determined.

Health.

The percentage found to be diseased of those convicted was 52 per cent, the same proportion as in 1920. The method of dealing with these cases has already been stated.

Committee Bulletins.

This report on the Women's Court is a summary of the monthly bulletins which are prepared by the Committee for the information of the Magistrates and those interested in the Court's work. In addition a bulletin, giving the location at which the acts of prostitution were alleged to have occurred, is prepared and sent to agencies interested, e.g., the Travelers Aid Society, Room House Registries of the Young Women's Christian Association, Young Men's Christian Association, etc. The Committee maintains a location list of such cases dating back many years, and there are frequent inquiries for information contained in this list.

BROOKLYN WOMEN'S COURT, 1921:

The total number of arraignments in this Court during the year was 574, an increase of 80 over 1920. The offenses were:

Prostitution cases	268	
Petit Larceny	88	
Vagrancy—no home	76	
Intoxication	59	
Disorderly Conduct	60	
Other	23	574

The specific charge in the prostitution cases were as follows:

Prostitution		
Vagrancy, Sec. 887 Code of Criminal Procedure	141	
Vagrancy, Sec. 150 Tenement House Law	64	205
Incorrigibility, Chap. 295 Laws of 1920		63

There were 51 more prostitution cases in 1921 than in 1920.

The proportion convicted was 51 per cent as compared with 65 per cent in the preceding year, while the proportion reported as not previously convicted was 78 per cent, an increase of 6 per cent over 1920.

The principal reason for continuing evening sessions of this special court is the public convenience in having a magistrate available at a known place to determine and accept bail generally. The assignments to this court are not special as in Manhattan.

III.

IMPORTANT HOTEL CASE.

One of the most interesting vice cases during the year involved a small hotel in the vicinity of the Pennsylvania Station. It was the result of a series of special investigations of hotel conditions in the city, made in co-operation with the National Interdepartmental Social Hygiene Board.

The preliminary investigation disclosed that the proprietors of this particular hotel would admit couples for immoral purposes if they believed that the circumstances surrounding the admission were such as not to involve them in the charge of keeping a disorderly house, should the police inspect the hotel. It was arranged that the investigators, and police officers working in citizen's clothes, should visit this hotel and secure accommodations, having given the proprietors notice that their supposed purpose was illicit sex relationship. Upon the evidence of four such visits a warrant was obtained from Chief City Magistrate McAdoo and the proprietors arrested. The charge against the defendants was a violation of Clause "e" of Subdivision 4 of Section 887 of the Code of Criminal Procedure, which provides that a person shall be deemed to be a vagrant who receives any person into any house or building for the purpose of prostitution or assignation, or knowingly permits any person to remain there for that purpose. The case was tried in the Magistrates Court by Judge Corrigan. The defense was a general denial of knowledge, which was of little weight as compared with the exceptionally strong evidence offered by the prosecution. The real defense was technical; the acts alleged did not constitute a crime, it being frankly admitted by the People's witnesses that they did not have, nor intend to have, illicit relations while in the hotel. The District Attorney argued that the defendants had received the witnesses contrary to law, and permitted them to remain there, supposing that their purpose in renting a room was prostitution or assignation; he citing, in support of his argument, *Peo. v. Moore*, (142 App. Div. 402) a case similarly depending upon the intent, acts and purposes of the defendant.

Appeal Decision.

From Magistrate Corrigan's finding of guilt an appeal was taken by the defendants. This was heard and determined by

Judge McIntyre of the Court of General Sessions. In affirming the conviction he says: "The conduct of the defendants on the occasions mentioned in the testimony comes within the rule laid down in *Peo. v. Moore* and *Peo. v. Hamilton* (182 App. Div. 55)".

Magistrate Corrigan imposed a sentence of fifteen days. This was further shortened to "time already served" by Judge McIntyre—a time which was but a few hours, since they were released on bail on appeal in the afternoon of the same day that they were sentenced by the Magistrate. The seemingly inadequate sentence may be attributed to the consideration given by the Judges to the fact that, "The defendants undoubtedly were entrapped by an understanding had between the complaining witnesses in advance of their going into the hotel in question" (Judge McIntyre). This attitude on the part of the judges greatly increases the difficulty of repressing commercialized vice. In this case the only penalty incurred by the defendants from the criminal proceeding was the resulting inconvenience and the necessity of paying counsel.

Proceedings to Dispossess.

Immediately after the conviction by Magistrate Corrigan, the owner began proceedings against the tenant to terminate the lease and recover possession, claiming the right of recovery because of the use of the premises in violation of law. Despite the reasonableness of supposing that a copy of the certificate of conviction would be sufficient proof of such violation, Municipal Court Justice Lauer refused to so consider it or even to receive it, thereby necessitating a re-examination of the witnesses for the complainant. Again the defense was technical; that the use of the property in violation of the law had not been proven. The defendants' counsel, in his brief submitted while Judge Lauer had the case under advisement, says:

> "Subdivision 5 of Section 2231 of the Code of Civil Procedure, under which this proceeding is brought, reads as follows, 'When a tenant may be removed: .....Where the demised premises or any part thereof are used or occupied as a bawdy house, or house or place of assignation for lewd persons, or for the purpose of prostitution or for any illegal trade or manufacture or other illegal business.'
>
> "The words, 'used or occupied' constitute the

backbone of this Subdivision and a proceeding predicated upon a violation of this Subdivision is necessarily bound up with the **use** or the **occupancy** to which the premises are actually put.

". . . . . The framers of this law could not have had in mind to make provision covering **intention** of **persons,** for nowhere therein is reference made to **persons** or their acts, the entire verbiage being confined to the **premises** and their **use** or **occupancy".**

This argument prevailed with the Court, for in denying the application Judge Lauer in his opinion says:

"So far, therefore, as proof of an actual use of the premises for purposes of prostitution is concerned the evidence on the part of the landlord fails. The statute permits an eviction of a tenant for purposes of prostitution. It is the user or occupancy of the premises that seems to be the controlling element under the wording of the statute referred to. Section 887 of the Code of Criminal Procedure seems to be much broader as to the things which constitute the offense. Here the statute relates solely to the use or occupancy of the premises."

Appeal Decision.

From this denial the landlord appealed the case. Being heard in the Appellate Term of the Supreme Court the decision was: "Judgment reversed and a new trial ordered." This latter direction, which delays the landlord's recovery of his property, was necessary because the defendants had contested the case solely upon the point of law and that, having been found to have been not well taken, opportunity must be given for a contest upon the facts.

The Appellate Term's decision was accompanied by an opinion by Judge Wagner, his associates, Guy and Bijur, JJ., concurring. In it may be found the following opinions, which are of encouragement to those engaged in the difficult and disagreeable endeavor to suppress commercialized vice:

"It is the opinion of the court below that, irrespective of the tenant, the law prohibiting the use of premises for purposes of prostitution is not violated unless it is established by direct or circumstantial evi-

dence that the premises were actually used for such purpose by the occupant of a room. Such a strained construction would virtually nullify the statute in question. Crime does not court detection; it shuns it. Hence, in this class of cases, methods such as were employed here have frequently been used to entrap those suspected of commercializing moral laxity. The statute is concerned with those who permit the use of premises for the purposes in question . . . . . The interpretation of the statute contended for by the tenant depends more on the abstraction of the sophist's phrase than recognition of the realities of life; not alone would it work violence to the legislative intent, but it would destroy the efficacy of a law enacted for the repression of immorality."

Women Investigators.

The case involved another disputed point of law enforcement endeavor. The woman investigator assumed the role of a prostitute and as such occupied, for very short periods of time, various bedrooms in the hotel with police officers. Of this way of getting evidence Judge McIntyre says:

> "The methods pursued by the People's witnesses to obtain evidence upon which to base a complaint may not be regarded as commendatory."

Judge Wagner made no mention of any such objection; indeed, from his language it would appear that he deemed it necessary. No critic of that manner of getting evidence in this particular case has deemed it material that this particular woman was married, 30 years of age, and had been employed by the National Government upon similar work for over two years. If a woman may not be used to secure evidence in this manner the difficulties of securing sufficient evidence for criminal proceedings against the proprietors of disorderly and assignation hotels, is greatly increased. To those who advocate such methods it seems not worse, indeed to many even better, than the generally accepted practice of permitting young police officers to accompany public prostitutes to hotel bedrooms, with the ensuing danger. Even this latter method is not now generally possible because of the greater care exercised in the management of assignation hotels; a care which the defendants in this case endeavored to take within the limitations of profitable business.

The decisions of Judge Corrigan, Judge McIntyre, and Judge Wagner and his associates, are an encouragement to the law enforcement agencies—official and volunteer—and if the criticisms of the methods used are not deterring, should make possible further progress in the repression of the few remaining hotels and rooming houses which, it is believed, knowingly accept guests who seek accommodations for immoral purposes.

IV.

SPECIAL CASES

The Committee took an active part in the prosecution of a considerable number of bellmen, who acted as procurers and the prostitutes procured by them.

In one of these, two men and four women were arrested and convicted. Another case occurred in a family hotel on the West Side where transient guests were seldom recived, and yet the night man procured for the complaining witnesses a prostitute who lived in the house and who after conviction, was found to have a considerable record of prior convictions. In yet another case, and in co-operation with another society, the Committee acted in the prosecution of three procurers and three prostitutes. The latter were operating in a Broadway tenement house in which there had been a series of convictions for prostitution in the last six yars. The Committee also co-operated in the case against a furnished room house in the vicinity of its office, but although the testimony was believed by the Magistrate, the two women were discharged because she concluded that the defendants had been entrapped by the witnesses.

Complaint was sent to the Committee by a friend who reported that a theatrical agency was supplying talent for indecent performances at "Stag Rackets." In co-operation with the Society for the Suppression of Vice, the Committee assisted in the prosecution of the machine operator who exhibited the indecent motion pictures. He was convicted and sentenced to sixty days. The theatrical agent, a woman, was also convicted, the sentence being a fine. The case of the proprietor of the place for permitting the indecent exhibition is still pending, application for a jury trial having been granted.

FREDERICK H. WHITIN,
Secretary.

REPORT OF APPROPRIATIONS AND DISBURSEMENTS BY THE TREASURER FOR THE FISCAL YEAR 1920-1921

Contributions reported for year ended Sept. 30, 1920, as unexpended		$189.72
Contributions and Interest applicable to the year—		
General	$14,491.18*	
Brooklyn	910.00	$15,401.18
		$15,590.90

* This includes a $500 contribution, pledged but not received in cash.

General Disbursements:		
Salaries, Executive	$6,000.00	
Salaries, Clerical	3,091.40	
Rent	1,560.00	
Stationery	346.95	
Carfare and Albany expenses	279.37	
Telephone	179.64	
Postage	101.29	
Miscellaneous	366.29	$11,924.94
Investigation:—Vice Conditions General Services and Disbursements		$3,272.42
Brooklyn:		
Executive and Clerical Assistance	$250.00	
Investigation—Services and Disbursements	431.30	$681.30
Special Disbursements:		
Annual Report	$549.10	
Legislative Information	50.00	$599.10
Total Disbursements		$16,477.76
Expenditures in excess of contributions reported above		886.86
		$15,590,90

* Excess expenditures met by contributions reported as unexpended for year ended Sept. 30, 1919...$993.30

(Signed) Francis Louis Slade,

Treasurer.

The records and vouchers of the Committee of Fourteen for the fiscal year ended September 30th, 1921, have been examined by me and the total of contributions and disbursements, as shown in this report, are correctly stated in accordance therewith; the secretary's sub-division of the same into various accounts has been accepted without verification.

(Signed) Patrick L. Ryan,

Certified Public Accountant.

November 17, 1921.

CONTRIBUTORS, 1920-1921

NEW YORK

Agnew, George. B.	$ 10.00
Alger, George W.	25.00
Baldwin, William H.	5.00
Battle, George Gordon	5.00
Benedict, William L.	100.00
Benjamin, Morris W.	10.00
Bliss, Cornelius N., Jr.	100.00
Bodman, Herbert L.	100.00
Borg, Sidney C.	100.00
Brewster, Robert S.	500.00
Brown, Elmer E.	5.00
Brown, Thatcher M.	25.00
Brown, Dr. William Adams	100.00
Bulkley, Edwin M.	25.00
Butler, William Allen	10.00
Buzzell, A. R.	10.00
Chambers, Frank R.	10.00
Colgate, William	25.00
Cushman, James S.	100.00
de Forest, Henry W.	50.00
Davison, Mrs. Henry P.	50.00
Dodge, Cleveland H.	500.00
Dreicer, Michael	50.00
Emmons, Arthur B.	10.00
Fosdick, Dr. Harry Emerson	10.00
Frank, Alfred	10.00
Frissell, Algernon S.	20.00
"From a Friend"	50.00
Glenn, Mrs. John M.	10.00
Grace, Joseph P.	500.00
Guggenheim, Simon	100.00
Hadden, Mrs. Harold F.	10.00
Halsey, Mrs. Frederick A.	10.00
Hammond, Mrs. John H.	25.00
Hazard, Mrs. Barclay	5.00
Henderson, Mrs. Edward C.	5.00
Hoe, Mrs. Richard M.	15.00
Hopping, A. Howard	2.00
Hoyt, John Sherman	25.00
James, Arthur Curtiss	2500.00
Kelsey, Clarence H.	25.00
Kingsley, William M.	25.00
Kunhardt, Wheaton B.	10.00

Lamont, Thomas W.	$ 50.00
Lee, Frederic S.	10.00
Lewisohn, Adolph	10.00
Lewisohn, Sam A.	25.00
Linherr, Miss Caroline C.	10.00
Lyman, Frank	10.00
McGuire, Edward J.	50.00
Macy, Mrs. V. Everit	100.00
Marling, Alfred E.	100.00
Marks, Marcus M.	5.00
Marshall, Louis	25.00
Matheson, William J.	100.00
Moore. George G.	5.00
Morgan, Mrs. John B.	5.00
Morgan, William Fellowes	25.00
Openhym, Wilfred A.	5.00
Parsons, Joseph	25.00
Parsons, William H.	10.00
Pederson, Dr. James	25.00
Perkins, Mrs. George W.	25.00
Peters, Rev. John P.*	25.00
Peters, Samuel T.	50.00
Peters, William R.	100.00
Phipps, Henry	100.00
Plaut, Joseph	15.00
Post, Abram S.	10.00
Pratt, Harold I.	100.00
Punnett, James	10.00
Reyburn, Samuel W.	10.00
Rockefeller, John D., Jr.	3076.54
St. James' Church	50.00
St. Michael's Church	25.00
Sabin, Charles H.	50.00
Satterlee, Mrs. Herbert L.	50.00
Schiff, Mortimer L.	100.00
Scrymser, Mrs. James A.	50.00
Seligman, Mrs. Isaac N.	250.00
Sherman, Charles A.	10.00
Simkhovitch, Mrs. V. G.	5.00
Slade, Francis Louis	250.00
Sloane, John	25.00
Smith, Ormond G.	10.00
Stokes, Mrs. Anson Phelps	100.00
Stone, Miss Ellen J.	25.00

*Deceased.

Straight, Mrs. Willard D.	$ 500.00
Straus, Percy S.	750.00
Strauss, Frederick	100.00
Terry, Mrs. John T.	25.00
Van Ingen, Edward H.*	100.00
Villard, Mrs. Henry	10.00
Villard, Oswald Garrison	10.00
Warburg, Felix M.	500.00
Ward, Artemas	100.00
Watson, Mrs. J. Henry	10.00
Winkaus, Frederick	10.00
Wise, Edmond E.	100.00
Wolff, Mrs. Lewis S	10.00
Wood, J. Walter	15.00
Zabriskie, Mrs. George	5.00

BROOKLYN

"B. C. F."	$ 100.00
Childs, William Hamlin	250.00
Low, Mrs. Mary T. F.	50.00
Merritt, Mrs. J. H.	5.00
Post, James H.	100.00
Pratt, Mrs. Frederic B.	100.00
Schram, Louis B.	25.00
Sherman, Mrs. Charles E.	10.00
Tousey, Miss Elizabeth	10.00
Van Sinderen, Adrian	50.00
White, Alfred T.*	100.00
White, Miss Frances E.	100.00
Zabriskie, Mrs. Cornelius	10.00

*Deceased.

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THE COMMITTEE OF FOURTEEN

IN

NEW YORK CITY

ANNUAL REPORT
FOR 1917

NEW YORK
1918

THE COMMITTEE OF FOURTEEN

IN

NEW YORK CITY

ANNUAL REPORT

FOR 1918

NEW YORK
1919

THE COMMITTEE OF FOURTEEN

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FOR 1919

NEW YORK
1920

THE COMMITTEE OF FOURTEEN

IN

NEW YORK CITY

ANNUAL REPORT

FOR 1920

NEW YORK
1921

THE COMMITTEE OF FOURTEEN

IN

NEW YORK CITY

ANNUAL REPORT

FOR 1921

NEW YORK
1922

1905-1920

THE COMMITTEE OF FOURTEEN was organized in January, 1905, to secure the suppression of the disorderly resorts known as "Raines Law" hotels. This was a serious existing phase of commercialized vice, reported by the Committee of Fifteen (1902).

The Committee effected the general suppression of these hotels and of many disorderly resorts in which liquor was sold, by securing amendments to the Excise Law, by more effective action by the Excise Commissioner and the imposition of more drastic penalties by the courts. Also, in perhaps the larger number of smaller cases, by the co-operation of the brewers and surety companies.

In 1912, the work of the Committee was extended to include all forms of commercialized vice. The Committee was instrumental in securing an Injunction and Abatement Law and amendments to the Tenement House Law, making its provisions more effective against the owner as well as the prostitute and her exploiter. The amendments to the Code of Criminal Procedure which made prostitution, regardless of where the offense was committed, a violation of law, were promoted by it.

The Committee has also contributed to the successful repression of vice by close observation of court proceedings, bringing the results to the attention of the judges thereby enabling them to do more effective work.

The combined efforts have produced most noticeable results. New York has less open vice than any of the world's largest cities.